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KFI 1235 .A21  
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no. 49  
Illinois register  
Received on: 12-09-91



**1991**

# ***Illinois Register***

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## **Rules of Governmental Agencies**

Volume 15, Issue 49 — December 6, 1991

Pages 17427-17810

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Administrative Code Div.  
288 Centennial Bldg.  
Springfield, IL 62756  
(217) 782-9786

published by  
**George H. Ryan**  
Secretary of State



Printed on recycled paper



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## INTRODUCTION

The Illinois Register is the official state document for publishing public notice of rulemaking activity by State governmental agencies. The table of contents is arranged categorically by rulemaking activity and alphabetically by agency within each category. Rulemaking activity consists of proposed or adopted new rules or amendments to or repealers of existing rules, including those by emergency or peremptory action.

The *Register* also contains Executive Orders and Proclamations issued by the Governor, notices of public information required by State statute, and activities (meeting agendas, Statements of Objection or Recommendation, etc.) of the Joint Committee on Administrative Rules (JCAR), a legislative oversight committee which monitors the rulemaking activities of State agencies. In addition, the *Register* contains a Cumulative Index listing alphabetically by agency the Parts (sets of rules) on which rulemaking activity has occurred in the current *Register* volume and a Sections Affected Index listing, by Title of the *Illinois Administrative Code*, each Section (including supplementary material) of a Part on which rulemaking activity has occurred in the current volume. Both indices are action coded and are designed to aid the public in monitoring rules.

The *Register* will serve as the update to the *Illinois Administrative Code*, a compilation of the rules of State agencies. The most recent edition of the *Code* along with the *Register* comprise the most current accounting of the State agencies' rules.

The *Illinois Register* is the property of the State of Illinois, granted by the authority of the Illinois Administrative Procedure Act (Ill. Rev. Stat. 1989, ch. 127, pars. 1001 et seq., as amended).

## REGISTER PUBLICATION SCHEDULE 1991

Material Rec'd after 4:30 p.m. on:	And before 4:30 p.m. on:	Will be in Issue #:	Published on:	Material Rec'd after 4:30 p.m. on:	And before 4:30 p.m. on:	Will be in Issue #:	Published on:
Dec. 18, 1990	Dec. 24, 1990	1	Jan. 4, 1991	June 25, 1991	July 2, 1991	28	July 12, 1991
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Apr. 30, 1991	May 7, 1991	20	May 17, 1991	Nov. 5, 1991	Nov. 12, 1991	47	Nov. 22, 1991
May 7, 1991	May 14, 1991	21	May 24, 1991	Nov. 12, 1991	Nov. 19, 1991	48	Dec. 2, 1991 (Mon.)
May 14, 1991	May 21, 1991	22	May 31, 1991	Nov. 19, 1991	Nov. 26, 1991	49	Dec. 6, 1991
May 21, 1991	May 28, 1991	23	June 7, 1991	Nov. 26, 1991	Dec. 3, 1991	50	Dec. 13, 1991
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June 18, 1991	June 25, 1991	27	July 5, 1991	Dec. 24, 1991	Dec. 31, 1991	2	Jan. 10, 1992

Please note: When the Register deadline falls on a State holiday, the deadline becomes 4:30 p.m. on Monday (the day before).



## ILLINOIS REGISTER

## ILLINOIS COMMERCE COMMISSION

## NOTICE OF PROPOSED RULES

- 1) Heading of the Part: Joint Rules of the Illinois Commerce Commission, the Office of the State Fire Marshal, and the Illinois Emergency Services and Disaster Agency: Fire Protection and Emergency Services for Telecommunications Facilities

2) Code Citation: 83 Ill. Adm. Code 785

3) Section Numbers:

785.1 New Section  
785.5 New Section  
785.10 New Section  
785.15 New Section  
785.20 New Section  
785.25 New Section  
785.30 New Section  
785.35 New Section  
785.40 New Section  
785.45 New Section  
785.50 New Section  
785.55 New Section  
785.60 New Section  
785.65 New Section

Proposed Action:

- 4) Statutory Authority: Implementing and authorized by Section 2 of "AN ACT concerning fire protection and emergency services relating to telecommunications facilities" (Ill. Rev. Stat. 1989, ch. 111 2/3, par. 1552).

- 5) A Complete Description of the Subjects and Issues Involved: These rules are required by Section 2 of "AN ACT concerning fire protection and emergency services relating to telecommunications facilities." The law requires the Illinois Commerce Commission, the Office of the State Fire Marshal, and the Emergency Services and Disaster Agency to adopt joint rules on the provision of adequate fire protection and emergency notification systems at telecommunications service facilities in Illinois. The proposed rules will adopt technical standards for the provision of such systems.

- 6) Will these proposed rules replace emergency rules currently in effect? No.

- 7) Does this rulemaking contain an automatic repeal date: No.

- 8) Do these proposed rules contain incorporations by reference? Yes.

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- 9) Are there any proposed amendments pending on this Part? No.
- 10) Statement of Statewide Policy Objectives: These proposed rules neither create nor expand any state mandate on units of local government, school districts, or community college districts.

- 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking:

Any person who plans to submit comments should file a notice of intent thereof, within 21 days of the date of this issue of the Illinois Register with:

Chief Clerk  
Illinois Commerce Commission  
527 East Capitol Avenue  
Springfield, IL 62706

Comments should be filed with the Chief Clerk within 45 days of the date of this issue of the Illinois Register.

- 12) Initial Regulatory Flexibility Analysis:

- A) Date amendment was submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: November 26, 1991

- B) Types of small businesses affected: These rules will affect those telephone companies that are also small businesses as defined in the Illinois Administrative Procedure Act.

- C) Reporting, bookkeeping or other procedures required for compliance: None.

- D) Types of professional skills necessary for compliance: Managerial and engineering skills.

The full text of the Proposed Rules begins on the next page:



## ILLINOIS COMMERCE COMMISSION

## NOTICE OF PROPOSED RULES

TITLE 83: PUBLIC UTILITIES  
CHAPTER I: ILLINOIS COMMERCE COMMISSION  
SUBCHAPTER f: TELEPHONE UTILITIES

## PART 785

JOINT RULES OF THE ILLINOIS COMMERCE COMMISSION,  
THE OFFICE OF THE STATE FIRE MARSHAL, AND THE ILLINOIS  
EMERGENCY SERVICES AND DISASTER AGENCY: FIRE PROTECTION AND  
EMERGENCY SERVICES FOR TELECOMMUNICATIONS FACILITIES

Section	Policy
785.1	Definitions
785.5	Intent
785.10	Application of Part
785.15	Incorporation of National Codes and Standards
785.20	Interchange Data
785.25	Safety Program
785.30	Physical Security and Emergency Access
785.35	Disaster Procedures
785.40	Remote Alarm Monitoring
785.45	Pre-Emergency Planning
785.50	Technical Requirements
785.55	Training
785.60	Compliance
785.65	

AUTHORITY: Implementing and authorized by Section 2 of "AN ACT concerning fire protection and emergency services relating to telecommunications facilities" (Ill. Rev. Stat. 1989, ch. 111 2/3, par. 1552).

SOURCE: Adopted at Ill. Reg. , effective .

## Section 785.1 Policy

The purpose of this Part is the practical, affordable safeguarding of the facilities of telephone companies and telecommunications carriers from major interruptions in service principally due to fire and to assure proper emergency response and recovery mechanisms are available should protective measures fail.

## Section 785.5 Definitions

As used in this Part, the following terms shall have these meanings.

"Act" shall mean "AN ACT concerning fire protection and emergency services relating to telecommunications

## ILLINOIS COMMERCE COMMISSION

## NOTICE OF PROPOSED RULES

facilities" (Ill. Rev. Stat. 1989, ch. 111 2/3, par. 1551 et seq.).

"Agencies" shall mean the Illinois Commerce Commission, the Office of the State Fire Marshal, and the Illinois Emergency Services and Disaster Agency.

"ASTM" shall mean the American Society For Testing and Materials, publisher of the "Annual Book of ASTM standards."

"Carriers" shall mean "telecommunications carriers" as defined in Section 13-202 of The Public Utilities Act (Ill. Rev. Stat. 1989, ch. 111 2/3, par. 13-202) and such other entities as described in Section 1 of "AN ACT relating to the powers, duties and property of telephone companies" (Ill. Rev. Stat. 1989, ch. 134, par. 17).

"Critical functions" shall mean those functions, the failure of which would lead to a major service outage.

"Facilities" shall mean those buildings of the carriers that house local or network switching equipment, but does not include ground or pole mounted cabinets.

"Lock Box" shall mean a secured box mounted on the outside of a building for which the only available key is held by the fire department and which contains a key for access into the building by the fire department personnel.

"Major service outage" shall mean a complete central office exchange failure, or the isolation of an exchange due to toll circuit(s) failure.

"NESC" shall mean the National Electric Safety Code as published by the Institute of Electric and Electronic Engineers.

"NFPA" shall mean the National Fire Protection Association.

"Signage" shall mean the placement of functional signs bearing information of value to emergency personnel in times of fire or other emergency condition.

"Telephone company" see "Carriers".



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## Section 785.10 Intent

Statements in this Part which are to be regarded as mandatory are characterized by the use of the word "shall." Statements in this Part which are advisory in nature are indicated by the word "should." Statements in the NESC or NFPA, which are advisory in nature are indicated as "RECOMMENDATIONS."

## Section 785.15 Application of Part

This Part shall apply to the switching facilities of all local exchange telephone companies and the switching facilities of all telecommunications carriers in the State of Illinois that are subject to the jurisdiction of the Commission as defined in Section 785.5 of this Part.

## Section 785.20 Incorporation of National Codes and Standards

- a) The Agencies adopt as their rules the following portions of the NESC (1990 edition, approved June 26, 1989):
  - 1) Section 2 (Definitions of Special Terms).
  - 2) Section 9 (Grounding Methods of Electric Supply and Communications Facilities).
- b) The Agencies adopt as their rules the following portions of the NFPA Fire Codes (1991) edition:
  - 1) Code 70, National Electric Code (effective Feb. 21, 1991).
  - 2) Code 72, Standard for the Installation, Maintenance, and Use of Protective Signaling Systems (effective 8-17-90).
  - 3) Code 72E, Standard on Automatic Fire Detectors (effective 8-17-90).
  - 4) Code 10, Portable Fire Extinguishers (effective 8-17-90).
  - 5) Code 12A, Halon 1301 Systems (effective 3-8-89).
  - 6) Code 12B, Halon 1211 Systems (effective 8-17-90).
  - 7) Code 13, Standard on Sprinkler System Installation, (effective 2-6-91).

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- 8) Code 13A, Standard on Sprinkler System Maintenance, (effective 12-30-86).
- c) The Agencies adopt as their rules the following ASTM standards (1991 edition):
  - 1) D2863-87, Standard Test Method for Measuring the Minimum Oxygen Concentration to Support Candle-like Combustion of Plastics (Oxygen Index), (effective 3-27-87).
  - d) Footnotes and notes which reference provisions of the NESC, NFPA or ASTM which have not been expressly adopted by the Agencies shall not be construed to incorporate such provisions into this Part.
  - e) This incorporation does not include any later amendments or editions.

## Section 785.25 Interchange Data

To assist in promoting conformity with these rules, a procedure or plan should be instituted between all telephone companies and telecommunications carriers whose facilities may occupy the same territory so that it will provide for the exchange of pertinent data and information, including data relative to proposed and existing construction, and changes in operating conditions which affect or are likely to affect adequacy of the telecommunications infrastructure in times of emergency.

## Section 785.30 Safety Program

- a) Each telephone company or telecommunications carrier shall adopt and execute a safety program, fitted to the size and type of its operations. As a minimum, the safety program shall:
  - 1) Stress reasonable procedures designed to reduce the hazards to which its employees, its customers, and the general public may be subjected by its operations;
  - 2) Require employees to use suitable tools and equipment in order that they may perform their work in a safe manner;
  - 3) Instruct employees in safe methods of performing their work;



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- 4) Instruct employees who, in the course of their work are subject to the hazard of electrical shock, asphyxiation or drowning, in accepted methods of cardiopulmonary resuscitation.

- b) Each telephone company or telecommunications carrier shall give assistance to the Agencies in the investigation of the cause of accidents or service interruptions and in the determination of suitable means of preventing such occurrences.

## Section 785.35 Physical Security and Emergency Access

- a) Each telephone company or telecommunications carrier's facility housing switching equipment shall have physical security, which may be by way of example and not of limitation in the form of door lock, card control entry or security guard, to guard against unauthorized entry or malicious disruption of service.

- b) Each telephone company or telecommunications carrier's facility in Illinois shall utilize a lock box system to facilitate access to the telecommunications building during an emergency situation, unless prohibited by ordinance or local fire department policy. Details of the lock box system shall be made a part of the facility pre-emergency plan.

## Section 785.40 Disaster Procedures

- a) Each telephone company or telecommunications carrier shall develop procedures providing for the continued operation of its services in the event that critical services are partially or totally disabled due to natural or manmade disasters. Procedures shall include, but not be limited to, practices for the continuation or priority restoration of critical services such as police, fire department, hospital, 9-1-1, etc. and methods of alternate alerting of city, county, state disaster agencies and appropriate fire districts. Such procedures need not be submitted to the Agencies for approval, but shall be available for Agency review upon request.

- b) Each telephone company or telecommunications carrier shall notify the Illinois Emergency Services and Disaster Agency of any major service outage expected to last 12 hours or more.

## ILLINOIS COMMERCE COMMISSION

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- c) The Agencies shall work with telephone companies and telecommunications carriers to assist the companies in developing alternate methods of alerting fire departments in instances where the primary methods have failed.

## Section 785.45 Remote Alarm Monitoring

Each telecommunications facility shall provide for a direct alarm monitoring communication channel to a fire department or fire protection district unless a local ordinance is adopted to the contrary, or there is an agreement from the local fire department that such alarming is not necessary or desirable. This alarm system monitoring by the fire department, or fire district may be in addition to other remote monitoring systems of the company or carrier.

## Section 785.50 Pre-Emergency Planning

- a) Each telecommunications facility in Illinois shall work with the local fire department or fire protection district to develop a pre-emergency plan. This plan shall include, but not be limited to: signage, location of the de-energizing switches, emergency procedures, copies of maps or floor diagrams, information about the location of the manual power cut-off switch(es) within the building, primary and alternative reporting, direct alarm monitoring, type of lock box and other issues as locally required. A copy of the plan shall be maintained at each facility location. A copy shall also be included in the lock box or in a suitable box located immediately inside of the facility for use during an emergency. The plan shall be signed by the facility manager and the fire chief of that area.

- b) Each telecommunications facility shall provide prior notice, in writing, to the fire department or fire protection district when construction or modifications are to be performed on an existing building that would impact the plan. The fire department and the facility shall review, update and approve the pre-emergency plan as required.

- c) The Pre-Emergency plan shall be reviewed, dated and signed on an annual basis.



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## Section 785.55 Technical Requirements

## a) Power and Communications Systems

- 1) All direct current (DC) power supply service feeds shall be fused at a level not to exceed the rated capacity of the smallest conductor used in the feed, or 200% of the maximal operational consumption of the feed, whichever is smaller.
- 2) The use of equalizing center design, the practice of tapping smaller power cables to larger power cables, is only permitted when fused at the tap, or fused in accordance with subsection 785.55(a)(1) above.
- 3) Main power supply power systems, both AC and DC, shall be designed to enable a practical, safe disconnection of all interior feed circuits using a master or zoned master switches or fuses. Multiple locations for zoned master switches or fuses may be utilized, but no more than three locations per floor shall be permitted except that existing telecommunications switch facilities with multiple power supply systems exceeding three locations per floor shall develop and utilize a coded layout plan for effective zoned disconnect subject to individual approval by the Office of the State Fire Marshal. Details of such disconnect plan shall be made a part of the Pre-Emergency Plan.
- 4) Companies should consider the incorporation of surge protective devices for use on AC service to mitigate the potential impact of equipment damage due to transient or overvoltage surges.
- 5) Armored cable, rigid or flexible metal conduit, or any other cable with an exterior metallic or conductive external surface shall not be placed in cable trays containing AC, DC or communications cables.
- 6) Wherever possible, existing AC and DC power cables should be physically separated from communications cables. New construction shall have AC and DC power cables physically separated from communications cables.

- 7) Use of cables employing polyvinyl chloride (PVC) insulation for any new or expansion of facilities shall be allowed only if the cable has an oxygen index rating of 28 or higher, unless monitored by a system designed to sense chloride emissions.
- 8) Removal of old cable shall be monitored by each telephone company or telecommunications carrier to guard against damage to remaining cable.

## b) Detection Systems

- 1) Design and installation shall comply with fire protection standards as published in the NFPA's Code 72 and 72E.
- 2) Types of fire detectors include heat, smoke, flame, laser, photo-electric, aspiration, ionization and fire-gas types. Detection systems shall utilize a minimum of two (2) types of devices monitoring each alarm zone within a facility for buildings exceeding 1,600 square feet. Buildings of less than 1,600 square feet will require one (1) single detector-type capability. Single detector-type systems shall not utilize heat only sensors.
- 3) Each facility with multiple alarm zones within a building exceeding 1,600 square feet shall have a local interior zone annunciator panel immediately inside of an entrance door as designated in the pre-plan. The facility may also have remote monitoring by a company operated central station. Upon receipt of a fire signal at such remote station, the station operator shall immediately notify the appropriate Fire Department.
- 4) Each carrier should develop a facility inspection program utilizing thermographic infrared scanning technology or equivalent as an aid to identify abnormal heat buildup.

## c) Ventilation

- 1) All facilities shall provide ventilation access for removal of smoke and toxic gases from the facility as follows:



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A) Single level telephone facilities consisting of no more than 1,600 square feet shall provide no less than two separate physical openings of sixteen (16) square feet each or greater on separate sides of the facility unless the local fire agency agrees to accept a single opening.

B) All facilities exceeding 1,600 square feet (including multi-story buildings) shall provide at least two (2) vent access openings per floor. The minimum size of each opening shall be sixteen (16) square feet for each 10,000 square feet of floor area, except that multiple vent openings per floor shall not be required where mechanical smoke evacuation systems are present and are acceptable to the local fire agency.

## d) Suppression

1) Automatic discharge systems containing water, dry chemical, foam or other suppression agents shall not be required in rooms housing switching, toll, main distribution frame, power, auxiliary power and AC switchboard equipment.

2) Suppression systems utilizing sprinklers or Halon shall be provided in cable vault areas and other areas not excluded by section 785.55(d)(1) above, except that no suppression systems are required for telecommunications buildings less than 1,600 square feet.

## e) Inspections

1) The Agencies shall be permitted to inspect all facility locations for compliance.

2) Each telecommunications facility shall permit the fire department or fire protection district to conduct an annual inspection. The local fire department shall have the option of inspecting more than once a year if requested. Fire departments with full-time staff shall be allowed to conduct an inspection for each of the three shifts, if requested.

## ILLINOIS COMMERCE COMMISSION

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## Section 785.60 Training

The telephone companies and telecommunications carriers shall work with the Office of the State Fire Marshal to develop a training program to be made available to local fire departments statewide. The training program shall include, but not be limited to, development of printed materials, signage, zoned power shut-off guidelines, model emergency plans, and videotapes which will describe the risks posed at telephone facilities. The ramifications of loss of service, the special features and unique hazards posed by facilities, and recommended emergency actions to be taken will be addressed.

## Section 785.65 Compliance

a) Existing telephone companies and telecommunications carriers shall have one (1) year from the effective date of this Part to comply to all sections excluding 785.55. Companies having more than 40 switching sites shall be allowed two (2) years to complete all work other than that which is specified in section 785.55, except that in no event shall a company bring into compliance each year less than forty (40) facilities or 50% of its total facilities, whichever is greater.

b) Existing telephone companies and telecommunications carriers have four (4) years from the effective date of this Part to achieve 100% compliance to section 785.55. By the end of two (2) years from the effective date of this Part, the companies and carriers shall have no less than forty (40) facilities or 50% of their total facilities, whichever is greater, in compliance.

c) Within ninety (90) days from the effective date of this part, all telephone companies and telecommunications carriers shall submit an implementation schedule indicating location-name, address, and date of scheduled compliance as required in section 785.65(a) and (b). Thereafter, until all facilities of a company are in compliance, each telephone company and telecommunications carrier shall submit, on six (6) month intervals, an updated implementation schedule showing location-name, address, completions and projected completions. Schedules and interval updates shall be filed with the Chief Clerk of the Illinois Commerce Commission.



## ILLINOIS COMMERCE COMMISSION

## NOTICE OF PROPOSED RULES

- d) If waiver from any of the requirements herein is desired in any particular case, the agencies will consider the application for such waiver when accompanied by a full statement setting forth the conditions existing and the reasons why such waiver is desired. In considering such requests for waivers, factors that the Agencies shall consider include economic impacts of compliance, costs and rate consequences, and service interruption potential. It is understood that any waiver so granted shall apply only to the particular case covered by the application, and waiver shall not be extended to other cases unless specifically granted by the Agencies.
- e) Application for waiver shall be made to the Illinois Commerce Commission pursuant to 83 Ill. Adm. Code Part 200. The Illinois Commerce Commission shall coordinate the waiver review process with the Agencies.

## EMERGENCY SERVICES AND DISASTER AGENCY

## NOTICE OF PROPOSED RULES

- 1) Heading of the Part: Joint Rules of the Illinois Commerce Commission, the Office of the State Fire Marshal, and the Illinois Emergency Services and Disaster Agency: Fire Protection and Emergency Services for Telecommunications Facilities
- 2) Code Citation: 29 Ill. Adm. Code 700
- 3) Section Numbers:
- |        |                         |
|--------|-------------------------|
|        | <u>Proposed Action:</u> |
| 700.1  | New Section             |
| 700.5  | New Section             |
| 700.10 | New Section             |
| 700.15 | New Section             |
| 700.20 | New Section             |
| 700.25 | New Section             |
| 700.30 | New Section             |
| 700.35 | New Section             |
| 700.40 | New Section             |
| 700.45 | New Section             |
| 700.50 | New Section             |
| 700.55 | New Section             |
| 700.60 | New Section             |
| 700.65 | New Section             |
- 4) Statutory Authority: Implementing and authorized by Section 2 of "AN ACT concerning fire protection and emergency services relating to telecommunications facilities" (Ill. Rev. Stat. 1989, ch. 111 2/3, par. 1552).
- 5) A Complete Description of the Subjects and Issues Involved: These rules are required by Section 2 of "AN ACT concerning fire protection and emergency services relating to telecommunications facilities." The law requires the Illinois Commerce Commission, the Office of the State Fire Marshal, and the Emergency Services and Disaster Agency to adopt joint rules on the provision of adequate fire protection and emergency notification systems at telecommunications service facilities in Illinois. The proposed rules will adopt technical standards for the provision of such systems.
- 6) Will these proposed rules replace emergency rules currently in effect? No.
- 7) Does this rulemaking contain an automatic repeal date: No.
- 8) Do these proposed rules contain incorporations by reference? Yes.



## EMERGENCY SERVICES AND DISASTER AGENCY

## NOTICE OF PROPOSED RULES

- 9) Are there any proposed amendments pending on this Part? No.
- 10) Statement of Statewide Policy Objectives: These proposed rules neither create nor expand any state mandate on units of local government, school districts, or community college districts.
- 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking:
- Any person who plans to submit comments should file a notice of intent thereof, within 21 days of the date of this issue of the Illinois Register with:
- Tim Leonetti  
Legislative Liaison  
Emergency Services and Disaster Agency  
110 East Adams  
Springfield, IL 62706
- Comments should be filed within 45 days of the date of this issue of the Illinois Register.
- 12) Initial Regulatory Flexibility Analysis:

- A) Date amendment was submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: November 26, 1991
- B) Types of small businesses affected: These rules will affect those telephone companies that are also small businesses as defined in the Illinois Administrative Procedure Act.
- C) Reporting, bookkeeping or other procedures required for compliance: None.
- D) Types of professional skills necessary for compliance: Managerial and engineering skills.

The full text of the proposed rules appears in 83 Ill. Adm. Code 785 which is in this issue of the Register on page 17429.

## OFFICE OF THE STATE FIRE MARSHAL

## NOTICE OF PROPOSED RULES

- 1) Heading of the Part: Joint Rules of the Illinois Commerce Commission, the Office of the State Fire Marshal, and the Illinois Emergency Services and Disaster Agency: Fire Protection and Emergency Services for Telecommunications Facilities
- 2) Code Citation: 41 Ill. Adm. Code 102
- 3) 

<u>Section Numbers:</u>	<u>Proposed Action:</u>
102.1	New Section
102.5	New Section
102.10	New Section
102.15	New Section
102.20	New Section
102.25	New Section
102.30	New Section
102.35	New Section
102.40	New Section
102.45	New Section
102.50	New Section
102.55	New Section
102.60	New Section
102.65	New Section
- 4) Statutory Authority: Implementing and authorized by Section 2 of "AN ACT concerning fire protection and emergency services relating to telecommunications facilities" (Ill. Rev. Stat. 1989, ch. 111 2/3, par. 1552).
- 5) A Complete Description of the Subjects and Issues Involved: These rules are required by Section 2 of "AN ACT concerning fire protection and emergency services relating to telecommunications facilities." The law requires the Illinois Commerce Commission, the Office of the State Fire Marshal, and the Emergency Services and Disaster Agency to adopt joint rules on the provision of adequate fire protection and emergency notification systems at telecommunications service facilities in Illinois. The proposed rules will adopt technical standards for the provision of such systems.
- 6) Will these proposed rules replace emergency rules currently in effect? No.
- 7) Does this rulemaking contain an automatic repeal date? No.
- 8) Do these proposed rules contain incorporations by reference? Yes.



## OFFICE OF THE STATE FIRE MARSHAL

## NOTICE OF PROPOSED RULES

- 9) Are there any proposed amendments pending on this part? No.
- 10) Statement of Statewide Policy Objectives: These proposed rules neither create nor expand any state mandate on units of local government, school districts, or community college districts.

- 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking:

Any person who plans to submit comments should file a notice of intent thereof, within 21 days of the date of this issue of the Illinois Register with:

John Pavlou  
General Counsel  
Office of the State Fire Marshal  
1035 Stevenson Drive  
Springfield, IL 62703

Comments should be filed within 45 days of the date of this issue of the Illinois Register.

- 12) Initial Regulatory Flexibility Analysis:

A) Date amendment was submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: November 26, 1991

B) Types of small businesses affected: These rules will affect those telephone companies that are also small businesses as defined in the Illinois Administrative Procedure Act.

C) Reporting, bookkeeping or other procedures required for compliance: None.

D) Types of professional skills necessary for compliance: Managerial and engineering skills.

The full text of the proposed rules appears in 83 Ill. Adm. Code 785 which is in this issue of the Register on page 17429.

## ILLINOIS HEALTH CARE COST CONTAINMENT COUNCIL

## NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of Part: Data Collection

- 2) Code Citation: 77 Ill. Adm. Code 2510

- 3) Section Numbers: Proposed Action:

2510.50	Amendment
2510.60	Amendment
2510.70	Amendment
2510.Appendix B	Amendment
2510.Appendix C	Amendment

- 4) Statutory Authority: Section 2-3 of Article II and Section 4-2 of Article IV of the Illinois Health Finance Reform Act (Ill. Rev. Stat. 1989, ch. 111 1/2, pars. 6502-3 and 6504-2).

- 5) A Complete Description of the Subjects and Issues Involved: The amendments change record formats; revise confidential data fields and subfields, and removes provisions providing for magnetic tapes or diskettes of final edited data.

- 6) Will this proposed rule replace an emergency rule currently in effect? No.

- 7) Does this rulemaking contain an automatic repeal date? No.

- 8) Does this amendment contain incorporations by reference? No.

- 9) Are there any other proposed amendments pending on this part? Yes.

Section Numbers: Proposed Action: Date of Publication:

2510.50	Amendment	November 15, 1991	15 Ill. Reg. 16542
2510.55	Amendment	November 15, 1991	15 Ill. Reg. 16542
2510.60	Amendment	November 15, 1991	15 Ill. Reg. 16542
2510.Appendix D	Amendment	November 15, 1991	15 Ill. Reg. 16542
2510.Appendix E	New Section	November 15, 1991	15 Ill. Reg. 16542

- 10) Statement of Statewide Policy Objectives: The proposed amendments provide for effective data reporting by hospitals.



## ILLINOIS HEALTH CARE COST CONTAINMENT COUNCIL

## NOTICE OF PROPOSED AMENDMENTS

- 11) Time, Place and Manner in Which Interested Persons May Comment on this Rulemaking: Comments may be submitted in writing to John R. Noak, Ed.D., Executive Director, Illinois Health Care Cost Containment Council, 516 East Monroe, Suite 200, Springfield, Illinois 62701. Written comments should be submitted no later than January 20, 1992.
- 12) Initial Regulatory Flexibility Analysis:
- A) Date Rule Submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: November 26, 1991.
  - B) Type of Small Business affected: Hospitals.
  - C) Reporting, Bookkeeping or other procedures required for compliance: No additional required.
  - D) Type of professional skills necessary for compliance: No additional required.

The full text of the Proposed Amendments begin on the next page.

## ILLINOIS HEALTH CARE COST CONTAINMENT COUNCIL

## NOTICE OF PROPOSED AMENDMENTS

## TITLE 77: PUBLIC HEALTH

## CHAPTER XI: ILLINOIS HEALTH CARE COST CONTAINMENT COUNCIL

## PART 2510

## DATA COLLECTION

Section  
2510.10  
2510.20  
2510.30  
2510.40  
2510.50  
2510.55  
2510.60  
2510.70  
2510.80  
APPENDIX A  
APPENDIX B  
APPENDIX C  
APPENDIX D

## Purpose

Outside Contractor  
Collection and Submission of Hospital Financial Data  
Submission of Medicare Cost Reports  
Collection of Information on Uniform Billing Form  
Report of Inpatient Discharges  
Quarterly Reports  
Special Studies and Analysis  
Confidentiality  
ILLINOIS HEALTH CARE COST CONTAINMENT COUNCIL ANNUAL  
FINANCIAL DATA REPORT  
MAGNETIC MEDIA RECORD FORMAT  
UB-82 DATA FIELDS  
HOSPITAL TRANSMITTAL FOR UB-82 DISCHARGE DATA

## AUTHORITY:

Implementing Article IV and authorized by Section 2-3 of Article II of the Illinois Health Finance Reform Act (Ill. Rev. Stat. 1987 1989), ch. 111 1/2, pars. 6504-1 to 6504-5 and par. 6504-5 and par. 6502-3)

SOURCE: Adopted and codified at 9 Ill. Reg. 12726, effective August 5, 1985; amended at 10 Ill. Reg. 18790, effective October 17, 1986; amended at 11 Ill. Reg. 1574, effective January 2, 1987; amended at 12 Ill. Reg. 6102, effective March 21, 1988; amended at 13 Ill. Reg. 334, effective December 30, 1988; amended at 14 Ill. Reg. 2078, effective January 19, 1990; amended at 16 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

## NOTE:

Capitalization denotes statutory language.

Section 2510.50 Collection of Information on Uniform Billing Form

a) Adoption of Uniform Billing Form UB-82/HCFA 1450



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82 with the confidential fields specified in subsection (e) below deleted.

2) Data Submission Standards

A) After submission of first quarter 1985, UB-82 data extracts shall be submitted in a magnetic format if the hospital is equipped with data processing equipment capable of producing data in one of acceptable magnetic formats. The physical specifications of the magnetic tape shall be any size reel of magnetic tape, recorded in 9 track, Extended Binary Coded Decimal Interchange Code mode, with density equal to 1600 bytes per inch ("BPI") or 6250 BPI. Acceptable formats for submission of data on floppy disk will be determined by the Council.

B) The tape shall have standard labels or be unlabeled. Non-standard labels should not be utilized. The logical record length should be 572 and the blocking factor should be 10; i.e., BLKSIZE equals 5720. Each file submitted is to contain one header record, the UB-82 logical records, and one trailer record. The header record is the first record on the file, and the trailer record is the last record on the file. Formats for these records are presented in Appendix B.

B) The data shall be submitted in records formatted as indicated in Appendix B. Physical and logical descriptions of the media, blocks, and records shall be as defined and modified by the Council from time to time.

C) Revisions of data originally filed on a magnetic format must be filed on a magnetic format reporting the entire logical record for each record changed.

D) For each patient, the data elements described in subsection (d) below form a record of 572 characters. Each record must be recorded onto a magnetic tape in the format described

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EFFECTIVE JANUARY 1, 1985, ALL HOSPITALS SHALL ADOPT A UNIFORM SYSTEM FOR SUBMITTING PATIENT CHARGES FOR PAYMENT FROM PUBLIC AND PRIVATE PAYORS. THIS SYSTEM SHALL BE BASED UPON THE ADOPTION OF THE UNIFORM HOSPITAL BILLING FORM UNIFORM BILLING 82/HEALTH CARE FINANCING ADMINISTRATION 1450 (UB-82/HCA 1450) ("UB-82") HEREINAFTER DEVELOPED BY THE NATIONAL UNIFORM BILLING COMMITTEE. Section 4-2 of the Illinois Health Finance Reform Act (ILL. REV. STAT. 1987, CH. 111 1/2, PAR. 6504-2).

b) Acceptance of UB-82

EFFECTIVE JANUARY 1, 1985, THE DEPARTMENT OF INSURANCE SHALL REQUIRE ALL THIRD-PARTY PAYORS, INCLUDING BUT NOT LIMITED TO, LICENSED INSURERS, MEDICAL AND HOSPITAL SERVICE CORPORATIONS, HEALTH MAINTENANCE ORGANIZATIONS, AND SELF-FUNDED EMPLOYEE HEALTH PLANS, TO ACCEPT THE UNIFORM HOSPITAL BILLING FORM UB-82, WITHOUT ATTACHMENT; PROVIDED, HOWEVER, NOTHING IN THIS CHAPTER SHALL NECESSARY TO DETERMINE ELIGIBILITY FOR BENEFITS OR LIABILITY FOR REIMBURSEMENT FOR SERVICES PROVIDED. THE ILLINOIS DEPARTMENT OF PUBLIC AID SHALL NOT BE REQUIRED TO ACCEPT THE UNIFORM HOSPITAL BILLING FORM UB-82 PRIOR TO OCTOBER 1, 1985, Section 4-2 of the Illinois Health Finance Reform Act (ILL. REV. STAT. 1987, CH. 111 1/2, PAR. 6504-2).

c) Filing of UB-82 Information with the Council

Extracts of UB-82 bills for inpatient services shall be prepared by hospitals according to the following regulations.

1) All hospitals may file UB-82 discharge data with the Council for discharges occurring during the first calendar quarter of 1985 on hard copy. Subsequent to that period, only hospitals not having data processing equipment capable of producing data in one of the acceptable magnetic formats specified in subsection (2) below shall file hard copy UB-82 information with the Council. Such information shall be filed with the Council on a UB-82 form or a facsimile of UB-



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shall include the UB-82 data fields coded according to the Council's requirements as found in Appendix C.

e) Confidential UB-82 Data

The following UB-82 data fields have been determined to be confidential by the Council and may not under any circumstances be filed with the Council:

Field	Subfield	Description
10	n/a	Patient's Name
11	n/a	Patient's Address (except zip code)
34	n/a	Responsible Party Name and Address
65	n/a	Insured's Name
68	n/a	Insured's Certificate Number, Social Security Number, Health Insurance Identification Number
74	n/a	Employee Identification Number
94	All except diagnosis codes, Procedure codes and dates*	Remarks. Any information other than secondary diagnosis codes and secondary procedure codes and dates are to be space-filled positions before the record is sent to the Council. Space filled positions are defined as containing the hexadecimal value '40' if coded in EBCDIC or the hexadecimal value '20' if coded in ASCII.

\*The Council may, from time to time, specify non-confidential codes and code values other than diagnoses and procedures for inclusion in FL94.

f) Hospital Identification Number

The Medicaid identification number assigned by the Medical Assistance Program of the Illinois Department of Public Aid is the required hospital identification number and shall be recorded in field 8 on all UB-82 records

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below. In all instances data elements contained on the uniform bill (UB-82) will be recorded in accordance with the requirements for completing the form as described in subsection (d) below. The precise record format is as found in Appendix B.

D) For each patient, the data elements described in subsection (d) below form a record of 572 characters. Each record must be recorded onto a magnetic tape in the format described below. In all instances data elements contained on the uniform bill (UB-82) will be recorded in accordance with the requirements for completing the form as described in subsection (d) below. The precise record form is as found in Appendix B.

3) Hospitals shall file complete UB-82 data for ninety five percent (95%) of all discharges within sixty (60) calendar days of the last day of the calendar month in which the patient was discharged or died. The complete UB-82 data for the remaining five percent (5%) of all discharges must be filed within one hundred eighty (180) calendar days of the last day of the calendar month in which the patient was discharged or died. Hospitals will be allowed twenty (20) calendar days to correct any UB-82 data submission errors identified by the Council.

4) Hospitals will not be required to file UB-82 information on patients for whom a bill is generated exclusively for the Illinois Department of Public Aid until October 1, 1985. The Illinois Department of Public Aid shall report to the Council the data listed in subsection (d) below for the discharges occurring during the period January 1, 1985, through September 30, 1985.

d) Required UB-82 Data

The Council, in cooperation with the State Departments of Public Aid, Insurance, and Public Health, shall establish a system for the collection of the following information from hospitals utilizing the raw data available on the uniform hospital billing form UB-82. Such data determined as necessary by the Council shall be filed for every discharge regardless of payor and



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filled with the Council. Hospitals not participating in the Medical Assistance Program shall immediately request a number be assigned by the Council. The request shall be made to the Executive Director.

## g) Self Administered Insurance Plan Identification Number

Self administered insurance plans and health and welfare funds may request an identification number from the Council. The request shall be made to the Executive Director. The identification number must be obtained and used if the plan or fund desires to obtain reports on its members from the Council.

## h) Small Hospital Exemption

The Council shall exempt hospitals with fewer than fifty (50) beds licensed under the Hospital Licensing Act (Ill. Rev. Stat. 1987, ch. 111 1/2, pars. 1542 et seq.) from the filing of UB-82 data with the Council if the Council finds that compliance would impose undue economic hardship on the hospital and if the Council determines that the data from these hospitals are not essential to its data base and its concomitant health care cost comparison efforts. In determining whether compliance will constitute an undue economic hardship the Council will consider the cost to the hospital, both in relation to initial costs to obtain the capability to generate data in this format, and the routine cost of generating such data compared to the ability of the hospital to absorb the added cost of such production. Hospitals with less than fifty (50) beds licensed under the Hospital Licensing Act anticipating compliance to impose an undue economic hardship may file with the Council a request for an exemption. Such request must document the undue economic hardship.

## i) Sample Size

Hospitals shall file the required UB-82 data specified in this Part for each discharge.

## j) Payment for Submission of UB-82 Data

- 1) Beginning with the payment for the July to December 1987 discharge period, reimbursement will be made semi-annually in January for

correct discharge data appearing on the Illinois Health Care Cost Containment UB-82 data base for the previous January 1 to June 30 period and in July for correct discharge data appearing on the Illinois Health Care Cost Containment UB-82 data base for the previous July 1 to December 31 period. Under the intent of this provision, there will be no January 1988 payment. The first payment under the revised rule will be made in July 1988; payment will be made every six months thereafter.

- 2) The payment to be made January 1, 1989, for hospital discharges occurring between January 1, 1988, through June 30, 1988, for hospitals that have submitted seventy-five (75%) correct of all discharges shall be \$420.00. Beginning with the payment to be made July 1, 1989 for hospital discharges occurring between July 1, 1988 and December 31, 1988, and payments thereafter, each hospital that has submitted eighty-five percent (85%) correct of all discharges shall be reimbursed at a semi-annual rate of \$420.00. Hospitals that do not meet the threshold percentage of correct discharges shall not be reimbursed.

(Source: Amended at 16 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 2510.60 Quarterly Reports

The Council shall require and the designated corporation, association or entity, if applicable, shall prepare quarterly basic reports in the aggregate on health care costs and trends in Illinois. The Council shall provide these reports to the public, if requested. These shall include, but not be limited to, comparative information on average charges, total and ancillary charge components, length of stay on diagnosis specific and procedure specific cases, and number of discharges, compiled in aggregate by hospital, by diagnosis, and by primary payor category. The Council shall permit affected providers the right to review the accuracy of any reports before they are released. Such review period shall not exceed fifteen (15) days.

(Source: Amended at 16 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)



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requester, and providing a short description of the request on its official meeting agenda. Such requests shall be approved only by the vote of a majority of the members of the Council who shall designate the form in which the information shall be made available. The approval or denial by the Council of requests for compilations of data shall be within the discretion of the Council. The Council shall, however, grant any request from a hospital for a magnetic tape or diskette containing a copy of that hospital's final edited data as it exists in the possession of the Council for each individual discharge for which information was originally submitted to the Council by that hospital. The Council may deny a request for a compilation of data for reasons including, but not limited to, unavailability of data; the requested compilation of data is already available from the Council or another source; the requested compilation of data would endanger patient confidentiality; or the request is not related to a legitimate purpose. No person or group may request such compilation of data concerning another person or group.

- f) The Council shall notify the requested in writing of its decision. Denial of a request shall include a brief explanation of the reason for the denial.
- g) The Council or designated corporation, association or entity in consultation with the Council shall also determine a fee to be charged to the requesting agency or private sector organization to cover the direct and indirect costs for producing special studies and analysis, and shall permit affected providers the right to review the accuracy of any reports before they are released. Such review period shall not exceed fifteen (15) days.
- h) No compilations of data shall be released by the requesting entity after receipt of the report from the Council without the prior written approval of the Council. Requests for such approval should be filed with the Executive Director. The requirements of this subsection shall not, however, apply to a magnetic tape or diskette provided to a hospital containing a copy of that hospital's final edited data as it exists in the possession of the Council for each individual discharge for which information was originally submitted to the Council by that hospital.

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Section 2510.70 Special Studies and Analysis

- a) In addition to the quarterly reports, the Council shall respond to requests by agencies of government and organizations in the private sector for special studies and analysis (hereafter referred to as "compilation of data") collected pursuant to Sections 2510.30 and 2510.50 of this Part. No such requests shall be accepted by the Council prior to October 1, 1985.

- b) For purposes of this Part, a compilation of data is defined as a magnetic tape or diskette containing selected non-confidential data elements, a hard copy of report or both.

- c) The Council shall not release any information for special studies and analysis which is not permitted to be released for other purposes by the Act. No patient identifiable information shall be released. No hospital specific financial information shall be released except as provided in Section 2510.30 of this Part. Only the UB-82 information which can be released under the requirements of the Act shall be released. Special studies and analysis shall not be subject to The Freedom of Information Act. ~~Nothing in the Act or this Part shall prevent a hospital from receiving on request a magnetic tape or diskette containing a copy of that hospital's final edited data as it exists in the possession of the Council for each individual discharge for which information was originally submitted to the Council by that hospital.~~

- d) All requests for compilations of data shall be made in writing to the Executive Director. The written request shall at least contain the name, address, and telephone number of the requester; a description of the requested compilation of data; a short, plain statement of the reason for the request; and the relationship of the requested compilation to a legitimate purpose. A "legitimate purpose" is a purpose consistent with the intent, policies, and purposes of the Act.

- e) The Council shall review each request for a compilation of data and determine whether to approve or deny the request. The Council shall notify the public of requests made for compilations by listing the



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- i) Funds received by the Council for requests for special studies and analysis pursuant to this section shall be deposited in the Illinois Health Care Cost Containment Council's Special Studies Fund. In determining the cost of producing studies, the Council will perform an analysis of the direct and indirect costs associated with the production of the study.

- G) Development and Review of Data Analysis - review results in terms of other independent analyses, prevailing theories and research theses. (External Validity Checks)

## j) Direct Costs

- H) Preparation of Final Report - prepare text, tables or demonstrations of data analysis established in Subsection (j)(1)(G). Present to Council for final review and approval.

## 1) Direct costs will be determined by the following steps:

- A) Assessment and Analysis Request - initial review of request to determine its objective, scope and consistency with statute, administrative rule and agency policy; assignment of request to project management staff.
- B) Request Initiation and Feasibility Study - technical review of request to determine its completeness, difficulty and likely agency costs/staffing needs to complete the request; draft staff recommendations to the Council for their review and disposition.
- C) System Analysis and Design - detailed identification of data and methodology necessary to fulfill the request; specify inputs, outputs and evaluation criteria.
- D) Program/Development and Testing - develop/test computer programs required to process raw data into necessary report formats.
- E) Implementation - execute computer programs established in Subsection (j)(1)(B).
- F) Post Implementation Evaluation - review results of program execution to verify the correctness of processing. (Internal Validity Checks)
2. Direct costs consist of both labor and non-labor costs. Labor direct costs will be calculated by recording the actual hours spent by Council staff or outside consultants performing the functions enumerated in Subsection (j)(1)(A) through (H) multiplied by the appropriate hourly rate for the grade and title of the staff member or consultant. The appropriate hourly rate for a consultant will be contained in the consultant's negotiated contract. Non-labor direct costs such as computer CPU time and related computer expenses, (e.g. including but not limited to, costs of computer paper, online storage lease charges, tape mount charges, access to proprietary databases), printing, magnetic tape or diskettes, and any other associated required materials or supplies (e.g. including but not limited to, costs of postage, slide preparation, acquisition of source materials, books and journals) will be recorded and allocated to the study as a direct pass-thru of the actual costs incurred. All computer costs associated with the generation of the request on the State's Consolidated Computer Facility (CCF) will be charged at the prevailing rate determined by the Department of Central Management Services (DCMS).

- k) Indirect Costs will be charged at the rate of 35 percent of direct costs.

- l) The Council will maintain accurate records to record all direct and indirect costs associated with a study and provide these to the requester upon completion of the study.



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(Source: Amended at 16 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## 2510 APPENDIX B MAGNETIC MEDIA RECORD FORMAT

## APPENDIX B

## MAGNETIC-MEDIA-RECORD-FORMAT

## HEADER RECORD

Data Element	Data Element Description	Position From	Position To	Length	Picture	Format
1	Hospital ID Number (Medicaid Provider Number)	1	12	12	A	
2	Hospital Name	13	52	40	A	
3	Hospital Street Address	53	92	40	A	
4	Hospital City	93	112	20	A	
5	Hospital Zip Code	113	117	5	N	
6	Contact Person	118	157	40	A	
7	Telephone Number	158	167	10	N	(XXX) XXX-XXXX
8	Period Covered First Day	168	173	6	N	MMDDYY
9	Last Day	174	179	6	N	MMDDYY
10	FILLER	180	572	393	A	
10	FILLER	180	767	588	A	

## LOGICAL RECORD FORMAT

Data Element	Data Element Description	UB-82 Item	Position From	Position To	Length	Picture	Format
1	Patient date of birth	12	1	8	8	N	MMDDCCYY
2	Patient Sex	13	9	9	1	A	

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Data Element	Data Element Description	UB-82 Item	Position From	Position To	Length	Picture	Format
3a	Patient zip code	11 (part)	10	14	5	N	Unknown = 00000 Foreign = 9999
3b	Filler	N/A	15	18	4	A	Blank Fill
4a	Individual Player ID Number	57A	19	27	9	A	Left justify, space fill right
4b	Individual Player ID Number	57B	28	36	9	A	Left justify, space fill right
4c	Individual Player ID Number	57C	37	45	9	A	Left justify, space fill right
5	Date of Admission	15	46	51	6	N	MMDDYY
6	Source of Admission	18	52	52	1	N	
7	Type of Admission	17	53	53	1	N	
8a	Discharge date (type of bill)	4	54	56	3	N	
8b	Discharge Date	22 (part)	57	62	6	N	MMDDYY
9a	Principal diagnosis	77	63	67	5	A	Left justify, space fill right; do not include decimal
9b	Other diagnosis	78	68	72	5	A	Left justify, space fill right; do not include decimal
9c	Other diagnosis	79	73	77	5	A	Left justify, space fill right; do not include decimal
9d	Other diagnosis	80	78	82	5	A	Left justify, space fill right; do not include decimal



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Data Element	Data Element Description	UB-82 Item	Position From	Position To	Length	Picture	Format
9e	Other diagnosis	81	83	87	5	A	Left justify, space fill right; do not include decimal
10a	Coding Method Used	82	88	88	1	N	
10b	Principal Procedure	84a	89	93	5	A	ICD-9-CM=99V99b CPT-4=99999
10c	Principal Procedure Date	84b	94	97	4	N	MMDD
11	Patient Status	21	98	99	2	N	
12a	Other Procedure	85a	100	104	5	N	ICD-9-CM=99V99b CPT-4=99999
12b	Other Procedure Date	85b	105	108	4	N	MMDD
12c	Other Procedure	86a	109	113	5	N	ICD-9-CM=99V99b CPT-4=99999
12d	Other Procedure Date	86b	114	117	4	N	MMDD
13a	Revenue Code	51a	118	120	3	A	Left justify
13a	Units of Service	52a	121	123	3	N	Right justify, zero fill left
13a	Charges	53a	124	132	9	N	S9(7)V99- May be negative (credit) Right justify zero fill left; if credit amount multi punch (11) over units position

## ILLINOIS REGISTER

## ILLINOIS HEALTH CARE COST CONTAINMENT COUNCIL

## NOTICE OF PROPOSED AMENDMENTS

Data Element	Data Element Description	UB-82 Item	Position From	Position To	Length	Picture	Format
13b	Revenue Code	51b	133	135	3	A	Left justify
13b	Units of Service	52b	136	138	3	N	Right justify, zero fill left
13b	Charges	53b	139	147	9	N	S9(7)V99- May be negative (credit) Right justify zero fill left; if credit amount multi punch (11) over units position
13c	Revenue Code	51c	148	150	3	A	Left justify
13c	Units of Service	52c	151	153	3	N	Right justify, zero fill left
13c	Charges	53c	154	162	9	N	S9(7)V99- May be negative (credit) Right justify zero fill left; if credit amount multi punch (11) over units position
13d	Revenue Code	51d	163	165	3	A	Left justify
13d	Units of Service	52d	166	168	3	N	Right justify, zero fill left
13d	Charges	53d	169	177	9	N	S9(7)V99- May be negative (credit) Right justify zero fill left; if credit amount multi punch (11) over units position
13e	Revenue Code	51e	178	180	3	A	Left justify



## ILLINOIS HEALTH CARE COST CONTAINMENT COUNCIL

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Data Element	Data Element Description	UB-82 Item	Position From	Position To	Length	Picture	Format
13e	Units of Service	52e	181	183	3	N	Right justify, zero fill left
13e	Charges	53e	184	192	9	N	S9(7)V99 - May be negative (credit) Right justify zero fill left; if credit amount multi punch (11) over units position
13f	Revenue Code	51f	193	195	3	A	Left justify
13f	Units of Service	52f	196	198	3	N	Right justify, zero fill left
13f	Charges	53f	199	207	9	N	S9(7)V99 - May be negative (credit) Right justify zero fill left; if credit amount multi punch (11) over units position
13g	Revenue Code	51g	208	210	3	A	Left justify
13g	Units of Service	52g	211	213	3	N	Right justify, zero fill left
13g	Charges	53g	214	222	9	N	S9(7)V99 - May be negative (credit) Right justify zero fill left; if credit amount multi punch (11) over units position
13h	Revenue Code	51h	223	225	3	A	Left justify
13h	Units of Service	52h	226	228	3	N	Right justify, zero fill left

Data Element	Data Element Description	UB-82 Item	Position From	Position To	Length	Picture	Format
13h	Charges	53h	229	237	9	N	S9(7)V99 - May be negative (credit) Right justify zero fill left; if credit amount multi punch (11) over units position
13i	Revenue Code	51i	238	240	3	A	Left justify
13i	Units of Service	52i	241	243	3	N	Right justify, zero fill left
13i	Charges	53i	244	252	9	N	S9(7)V99 - May be negative (credit) Right justify zero fill left; if credit amount multi punch (11) over units position
13j	Revenue Code	51j	253	255	3	A	Left justify
13j	Units of Service	52j	256	258	3	N	Right justify, zero fill left
13j	Charges	53j	259	267	9	N	S9(7)V99 - May be negative (credit) Right justify zero fill left; if credit amount multi punch (11) over units position
13k	Revenue Code	51k	268	270	3	A	Left justify
13k	Units of Service	52k	271	273	3	N	Right justify, zero fill left



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Data Element	Data Element Description	UB-82 Item	Position From	Position To	Length	Picture	Format
13k	Charges	53k	274	282	9	N	S9(7)V99 - May be negative (credit) Right justify zero fill left; if credit amount multi punch (11) over units position
13l	Revenue Code	51l	283	285	3	A	Left justify
13l	Units of Service	52l	286	288	3	N	Right justify, zero fill left
13l	Charges	53l	289	297	9	N	S9(7)V99 - May be negative (credit) Right justify zero fill left; if credit amount multi punch (11) over units position
13m	Revenue Code	51m	298	300	3	A	Left justify
13m	Units of Service	52m	301	303	3	N	Right justify, zero fill left
13m	Charges	53m	304	312	9	N	S9(7)V99 - May be negative (credit) Right justify zero fill left; if credit amount multi punch (11) over units position
13n	Revenue Code	51n	313	315	3	A	Left justify
13n	Units of Service	52n	316	318	3	N	Right justify, zero fill left

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Data Element	Data Element Description	UB-82 Item	Position From	Position To	Length	Picture	Format
13n	Charges	53n	319	327	9	N	S9(7)V99 - May be negative (credit) Right justify zero fill left; if credit amount multi punch (11) over units position
13o	Revenue Code	51o	328	330	3	A	Left justify
13o	Units of Service	52o	331	333	3	N	Right justify, zero fill left
13o	Charges	53o	334	342	9	N	S9(7)V99 - May be negative (credit) Right justify zero fill left; if credit amount multi punch (11) over units position
13p	Revenue Code	51p	343	345	3	A	Left justify
13p	Units of Service	52p	346	348	3	N	Right justify, zero fill left
13p	Charges	53p	349	357	9	N	S9(7)V99 - May be negative (credit) Right justify zero fill left; if credit amount multi punch (11) over units position
13q	Revenue Code	51q	358	360	3	A	Left justify
13q	Units of Service	52q	361	363	3	N	Right justify, zero fill left



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Data Element	Data Element Description	UB-82 Item	Position From	Position To	Length	Picture	Format
13q	Charges	53q	364	372	9	N	S9(7)V99 - May be negative (credit) Right justify zero fill left; if credit amount multi punch (11) over units position
13r	Revenue Code	51r	373	375	3	A	Left justify
13r	Units of Service	52r	376	378	3	N	Right justify, zero fill left
13r	Charges	53r	379	387	9	N	S9(7)V99 - May be negative (credit) Right justify zero fill left; if credit amount multi punch (11) over units position
13s	Revenue Code	51s	388	390	3	A	Left justify
13s	Units of Service	52s	391	393	3	N	Right justify, zero fill left
13s	Charges	53s	394	402	9	N	S9(7)V99 - May be negative (credit) Right justify zero fill left; if credit amount multi punch (11) over units position
13t	Revenue Code	51t	403	405	3	A	Left justify
13t	Units of Service	52t	406	408	3	N	Right justify, zero fill left

## ILLINOIS HEALTH CARE COST CONTAINMENT COUNCIL

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Data Element	Data Element Description	UB-82 Item	Position From	Position To	Length	Picture	Format
13t	Charges	53t	409	417	9	N	S9(7)V99 - May be negative (credit) Right justify zero fill left; if credit amount multi punch (11) over units position
13u	Revenue Code	51u	418	420	3	A	Left justify
13u	Units of Service	52u	421	423	3	N	Right justify, zero fill left
13u	Charges	53u	424	432	9	N	S9(7)V99 - May be negative (credit) Right justify zero fill left; if credit amount multi punch (11) over units position
13v	Revenue Code	51v	433	435	3	A	Left justify
13v	Units of Service	52v	436	438	3	N	Right justify, zero fill left
13v	Charges	53v	439	447	9	N	S9(7)V99 - May be negative (credit) Right justify zero fill left; if credit amount multi punch (11) over units position
13w	Revenue Code	51w	448	450	3	A	Left justify
13w	Units of Service	52w	451	453	3	N	Right justify, zero fill left



ILLINOIS HEALTH CARE COST CONTAINMENT COUNCIL

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2	Number of Records (Logical Records contained in the file excluding the Header and Trailer Records)	13	17	5	N
3	FILLER	48	672	666	A
3	FILLER	18	767	750	A

(Source: Amended at 16 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

2510 APPENDIX C UB-82 DATA FIELDS

APPENDIX C

UB-82 DATA FIELDS

Data Element	Required Field(s) Requirements
1. Patient date of birth	12 As stated in UB-82 For Illinois manual.
2. Patient sex	13 As stated in UB-82 For Illinois manual.
3. Patient zip code	11 Only the zip code portion of this field is required. Code as stated in UB-82 For Illinois manual.
4. Third-party Coverage	57 Illinois Department of Insurance numbers are required for commercial insurers. The Blue Cross codes listed in the UB-82 manual are required for Blue Cross plans. Self-administered plans will be assigned a number upon request as provided in subsection (g) of Section 2510.40 and hospitals are required to use such numbers where applicable in field 57.

ILLINOIS HEALTH CARE COST CONTAINMENT COUNCIL

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Data Element	Data Element Description	UB-82 Item	Position From	Position To	Length	Picture	Format
13w	Charges	53w	454	462	9	N	S9(7)V99 - May be negative (credit) Right justify zero fill left; if credit amount multi punch (11) over units position
14	Attending physician ID number	92	463	472	10	A	
15	Hospital ID number	8	473	484	12	A	
16	Patient Control Number	3	485	501	17	A	
17a	Insured's Group Number	70a	502	518	17	A	
17b	Insured's Group Number	70b	519	535	17	A	
17c	Insured's Group number	70c	536	552	17	A	
18	Other physician ID	93	553	562	10	A	
	Filler		563	572	10	A	Blank Filler
19	Remarks	94	573	767	195	A	

If there are more than twenty-three (23) entries in the charge fields on a patient's bill, file two (2) or more records for the patient's bill, as necessary, and code data elements 1, 2, 5, 8b, 11, 15 and 16 on all records.

TRAILER RECORD

Data Element	Data Element Description	Position From	Position To	Length	Picture	Format
1	Hospital ID Number (Medicaid Provider Number)	1	12	12	A	



## ILLINOIS HEALTH CARE COST CONTAINMENT COUNCIL

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If any hospital has less than one-half of one percent (0.05%) of its discharges for a particular payor identification number in the prior quarter, it may report these discharges to the Council as "other".

However, if the payor ID number presented by a patient is presented on an individual identification card shown by the patient at the time of admission the discharge information must be reported to the Council for that patient using the identification number.

5. Date of admission 15 As stated in UB-82 For Illinois manual.
6. Source of admission 18 As stated in UB-82 For Illinois manual.
7. Type of admission 17 As stated in UB-82 For Illinois manual.
8. Discharge Date 4,22 As stated in UB-82 For Illinois manual.
9. Principal and up to four other diagnoses 77-81 As stated in UB-82 For Illinois manual.
10. Principal procedure and date 82,84 As stated in UB-82 For Illinois manual.
11. Patient status 21 As stated in UB-82 For Illinois manual.
12. Other procedures and dates 85,86 As stated in UB-82 For Illinois manual.
13. Total charges and components of those charges 51-53 The number of units is required where applicable. Code as stated in UB-82 For Illinois manual.
14. Attending physician ID number 92 Physician's state license number is the required ID number. If the attending physician does not have a valid license number, enter the Chief of Service's ID.

## ILLINOIS HEALTH CARE COST CONTAINMENT COUNCIL

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15. Hospital ID number 8 The Medicaid number is the required hospital ID number. Hospitals not participating in Medicaid will be assigned a number as provided in subsection (f) of Section 2510.40.
16. Patient Control Number 3 As stated in UB-82 For Illinois Manual. This field may not contain the patient's social security number.
17. Insured's Group Number 70 Required where applicable. As stated in UB-82 For Illinois Manual.
18. Other Physician ID 93 If applicable and if known the physician's state license number is the required ID number. If the other physician does not have a valid license number, enter the Chief of Service's ID.
19. Remarks 94 Space fill if no secondary diagnosis and procedure codes and service dates are present. If data is present, enter it and space fill the remaining lines.

(Source: Amended at 16 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)



## POLLUTION CONTROL BOARD

## NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: PERMITS
- 2) Code Citation: 35 Ill. Adm. Code 309
- 3) Section Numbers: Proposed Action:  
309.103 Amendment
- 4) Statutory Authority: Ill. Rev. Stat. 1987, ch. 1114, pars. 1013, 1013.3 and 1027.
- 5) A Complete Description of the Subjects and Issues Involved:

A complete description is contained in the Board's Opinion of November 21, 1991 in R91-5, which Opinion is available from the address below. Section 13.3 of the Environmental Protection Act (Ill. Rev. Stat. 1987, ch. 1114, par. 1013.3) provides that Section 5 of the Administrative Procedure Act shall not apply. Because this rulemaking is not subject to Section 5 of the APA, it is not subject to first notice or to second notice review by JCAR.

This rulemaking updates the Board's wastewater pretreatment rules to correspond with amendments adopted by USEPA which appeared in the Federal Register during the period June 29, 1990 through December 31, 1990. This rulemaking accompanies two other segments of R91-5 that propose amendments to 35 Ill. Adm. Code 307 and 310.

Subpart A: NPDES PermitsSection 309.103 Application - General

The USEPA amendments of July 24, 1990, at 55 Fed. Reg. 30082, have a significant impact on certain POTWs. They impose significant new reporting and recordkeeping requirements, and in some instances, they require periodic whole effluent toxicity testing as part of the permit application process.

USEPA added new paragraphs (j)(1) through (j)(4) to 40 CFR 122.21. These new paragraphs (applicable to state programs pursuant to 40 CFR 123.25) require certain POTWs to provide USEPA (or the NPDES permit-issuing state) with the results of whole effluent toxicity testing:

POTWs which must provide this information:

1. All POTWs with a design influent capacity of one million gallons per day (MGD) or more, and
2. All POTWs required to have a pretreatment program; and

## POLLUTION CONTROL BOARD

## NOTICE OF PROPOSED AMENDMENTS

Other POTWs of which USEPA (or the NPDES permit-issuing state) may require this information based on consideration of certain factors:

1. The variability of effluent pollutants or pollutant parameters,
2. The dilution ratio in the receiving stream,
3. Existing controls on point and nonpoint sources and maximum daily loading in the receiving stream and the relative contribution of the individual POTW,
4. Receiving stream characteristics (known water quality impairment; whether it is a coastal water, a Great Lake, or an outstanding natural resource; etc.), and
5. Other considerations that could cause or contribute to adverse water quality impacts (including the history of toxic impact and POTW compliance problems).

This testing must have occurred since the latest permit reissuance or modification. The POTW must submit this information together with its NPDES permit application, and if it has an approved pretreatment program, a written technical evaluation of the need to revise local pretreatment limitations must accompany the results of the testing.

The existing NPDES regulations include provision for whole effluent toxicity testing. 35 Ill. Adm. Code 309.103(a)(3) confers the determination on the Agency, pursuant to Section 39 of the Act, to require such testing for the POTW to demonstrate compliance with acute and chronic toxicity criteria. See 35 Ill. Adm. Code 302.621 & 302.630. It is not clear that this Agency determination to require testing is concurrent with the authority now required by USEPA for state programs as a result of these federal amendments. On the other hand, it is clear that the present rule does not include concrete circumstances under which a POTW must perform the testing and submit the results to the Agency together with an evaluation of revising local limits.

Section 13.3 of the Act requires the Board to adopt regulations that are identical in substance to federal regulations promulgated by USEPA pursuant to sections 307(b), (c), and (d) and 402(b)(8) and (b)(9) of the Clean Water Act, 33 U.S.C. §§ 1317(b), (c) & (d) & 402(b)(8) & (b)(9). USEPA asserts these provisions, at least in part, as the authority for these amendments. See 55 Fed. Reg. 30082 & 30128-29 (July 24, 1990). Therefore, the Board proposes adopting the new federal requirements nearly verbatim.



## POLLUTION CONTROL BOARD

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In so doing the Board rennumbers existing Section 309.103(a)(3) to Section 309.103(a)(3)(A) and places the identical in substance rule at Section 309.103(a)(3)(B). The Board has revised the federal language only to the extent necessary to comport with codification as a state rule. This requires the incorporation of 40 CFR 122.62 (a) by reference. The Board incorporates this reference at this location, rather than at the incorporations by reference section at 35 Ill. Adm. Code 310.107, because this incorporation is specific to this provision, and Section 310.107 is specific to Part 310. The incorporated federal provision recites the reasons for permit modification since which the POTW must have last performed the toxicity testing.

Additionally, the Board proposes amendments not directly related to the federal language. The Board adds language to subsection (a) that clarifies that the Agency determination as to toxicity testing is made pursuant to Section 39 of the Act, and is, therefore, a permit determination appealable to the Board. The Board also adds a note to subsection (a)(3)(A) to indicate that 40 CFR 122.21(j) (1990), as amended at 55 Fed. Reg. 30128 (July 24, 1990), is the source of subsections (a)(3)(B) through (a)(4).

6) Will these proposed amendments replace emergency amendment currently in effect? No.

7) Does this rulemaking contain an automatic repeal date? No.

8) Does these proposed amendments contain incorporations by reference?

Yes. The proposed amendments, at subsection (a)(3)(D), incorporate a federal regulation from the Code of Federal Regulations by reference.

9) Are there any other amendments pending on this Part? No.

10) Statement of Statewide Policy Objectives:

This rulemaking is mandated by Section 13.3 of the Environmental Protection Act. The statewide policy objectives are set forth in Section 11 of that Act. This rulemaking imposes mandates on units of local government to the extent they pretreat industrial waste or operate a publicly owned treatment works required to have a pretreatment program.

11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking:

The Board will accept written public comment on this proposal for a period of 45 days after the date of this publication. Comments should

## POLLUTION CONTROL BOARD

## NOTICE OF PROPOSED AMENDMENTS

reference Docket R91-5 and be addressed to:

Ms. Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board  
State of Illinois Center, Suite 11-500  
100 W. Randolph St.  
Chicago, IL 60601

12) Initial Regulatory Flexibility Analysis:

A) Date rule was submitted to the Small Business Office of the Department of Commerce and Community Affairs: November 25, 1991.

B) Types of small businesses affected:

This rulemaking affects those small businesses disposing of industrial wastewaters into the sewage collection system of a publicly owned treatment works.

C) Reporting, bookkeeping or other procedures required for compliance:

The existing rules and proposed amendments require extensive reporting, bookkeeping and other procedures, including the preparation of manifests and annual reports, waste analyses and maintenance of operating records.

D) Types of professional skills necessary for compliance:

Compliance with the existing rules and proposed amendments may require the services of an attorney, certified public accountant, chemist and registered professional engineer.

The full text of the proposed amendments begins on the next page:



## POLLUTION CONTROL BOARD

## NOTICE OF PROPOSED AMENDMENTS

TITLE 35 ENVIRONMENTAL PROTECTION  
SUBTITLE C: WATER POLLUTION  
CHAPTER I: POLLUTION CONTROL BOARD

PART 309  
PERMITS

## SUBPART A: NPDES PERMITS

Section	
309.101	Preamble
309.102	NPDES Permit Required
309.103	Application - General
309.104	Renewal
309.105	Authority to Deny NPDES Permits
309.106	Access to Facilities and Further Information
309.107	Distribution of Applications
309.108	Tentative Determination and Draft Permit
309.109	Public Notice
309.110	Contents of Public Notice of Application
309.111	Combined Notices
309.112	Agency Action After Comment Period
309.113	Fact Sheets
309.114	Notice to Other Governmental Agencies
309.115	Public Hearings on NPDES Permit Applications
309.116	Notice of Agency Hearing
309.117	Agency Hearing
309.118	Agency Hearing File
309.119	Agency Action After Hearing
309.141	Terms and Conditions of NPDES Permits
309.142	Water Quality Standards and Waste Load Allocation
309.143	Effluent Limitations
309.144	Federal New Source Standards of Performance
309.145	Duration of Permits
309.146	Authority to Establish Recording, Reporting, Monitoring and Sampling Requirements
309.147	Authority to Apply Entry and Inspection Requirements
309.148	Schedules of Compliance
309.149	Authority to Require Notice of Introduction of Pollutants into Publicly Owned Treatment Works
309.150	Authority to Ensure Compliance by Industrial Users with Sections 204(b), 307 and 308 of the Clean Water Act
309.151	Maintenance and Equipment
309.152	Toxic Pollutants
309.153	Deep Well Disposal of Pollutants (Repealed)
309.154	Authorization to Construct
309.155	Sewage Sludge Disposal
309.156	Total Dissolved Solids Reporting and Monitoring
309.181	Appeal of Final Agency Action on a Permit Application

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309.182	Authority to Modify, Suspend or Revoke Permits
309.183	Revision of Schedule of Compliance
309.184	Permit Modification Pursuant to Variance
309.185	Public Access to Information
309.191	Effective Date

## SUBPART B: OTHER PERMITS

Section	
309.201	Preamble
309.202	Construction Permits
309.203	Operating Permits; New or Modified Sources
309.204	Operating Permits; Existing Sources
309.205	Joint Construction and Operating Permits
309.206	Experimental Permits
309.207	Former Permits (Repealed)
309.208	Permits for Sites Receiving Sludge for Land Application
309.221	Applications - Contents
309.222	Applications - Signatures and Authorizations
309.223	Applications - Registered or Certified Mail
309.224	Applications - Time to Apply
309.225	Applications - Filing and Final Action by Agency
309.241	Standards for Issuance
309.242	Duration of Permits Issued Under Subpart B
309.243	Conditions
309.244	Appeals from Conditions in Permits
309.261	Permit No Defense
309.262	Design, Operation and Maintenance Criteria
309.263	Modification of Permits
309.264	Permit Revocation
309.265	Approval of Federal Permits
309.266	Procedures
309.281	Effective Date
309.282	Severability

## APPENDIX A References to Previous Rules

AUTHORITY: Implementing Sections 13 and 13.3 and authorized by Section 27 of the Environmental Protection Act (Ill. Rev. Stat. 1987, ch. 1114, pars. 1013, 1013.3 and 1027).

SOURCE: Adopted in R71-14, at 4 PCB 3, March 7, 1972; amended in R73-11, 12, at 14 PCB 661, December 5, 1974, at 16 PCB 511, April 24, 1975, and at 28 PCB 509, December 20, 1977; amended in R73-11, 12, at 29 PCB 477, at 2 Ill. Reg. 16, p. 20, effective April 20, 1978; amended in R79-13, at 39 PCB 263, at 4 Ill. Reg. 34, p. 159, effective August 7, 1980; amended in R77-128, at 41 PCB 369, at 5 Ill. Reg. 6384, effective May 28, 1981; amended in R76-21, at 44 PCB 203, at 6 Ill. Reg. 563, effective December 24, 1981; codified 6 Ill. Reg. 7818; amended in R82-5, 10, at 54 PCB 411, at 8 Ill. Reg. 1612, effective January 18, 1984; amended in R86-44 at 12 Ill. Reg. 2495 effective January 13,



## POLLUTION CONTROL BOARD

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1988; amended in R88-1 at 13 Ill. Reg. 5993, effective April 18, 1989; amended in R88-21(A) at 14 Ill. Reg. 2892, effective February 13, 1990; amended in R91-5 at 15 Ill. Reg. , effective

## SUBPART A: NPDES PERMITS

## Section 309.103 Application - General

## a) Application Forms

- 1) An applicant for a National Pollution Discharge Elimination System (NPDES) Permit shall file an application, in accordance with Section 309.223 hereof, on forms provided by the Illinois Environmental Protection Agency (Agency). Such forms shall comprise the NPDES application forms promulgated by the U.S. Environmental Protection Agency for the type of discharge for which an NPDES Permit is being sought and such additional information as the Agency may reasonably require in order to determine that the discharge or proposed discharge will be in compliance with applicable state and federal requirements.

- 2) In addition to the above application forms, the Agency may require the submission of plans and specifications for treatment works and summaries of design criteria.

## 3) Effluent toxicity monitoring

- A) In addition to the above application forms, the Agency may require, pursuant to Section 39 of the Act, the installation, use, maintenance and reporting of results from monitoring equipment and methods, including biological monitoring. The Agency may require, pursuant to Section 39 of the Act, effluent toxicity testing to show compliance with 35 Ill. Adm. Code 302.621 and 302.630. If this toxicity testing shows the effluent to be toxic, the Agency may require pursuant to Section 39 of the Act further testing and identification of the toxicant(s) pursuant to 35 Ill. Adm. Code 302.210(a).

- B) The following POTWs shall provide the results of valid whole effluent biological toxicity testing to the Agency:

- i) All POTWs with design influent flows equal to or greater than one million gallons per day.

## POLLUTION CONTROL BOARD

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- ii) All POTWs with approved pretreatment programs or POTWs required to develop a pretreatment program pursuant to 35 Ill. Adm. Code 310. Subpart E;

- C) In addition to the POTWs listed in (a)(3)(B), the Agency may require other POTWs to submit the result of toxicity tests with their permit applications, based on consideration of the following factors.

- i) The variability of the pollutants or pollutant parameters in the POTW effluent (based on chemical-specific information, the type of treatment facility, and types of industrial contributors);

- ii) The dilution of the effluent in the receiving water (ratio of effluent flow to receiving stream flow);

- iii) Existing controls on point or nonpoint sources, including total maximum daily load calculations for the waterbody segment and the relative contribution of the POTW;

- iv) Receiving stream characteristics, including possible or known water quality impairment, and whether the POTW discharges to a coastal water, one of the Great Lakes, or a water designated as an outstanding natural resource; or

- v) Other considerations (including but not limited to the history of toxic impact and compliance problems at the POTW), which the Director determines could cause or contribute to adverse water quality impacts.

- D) The POTWs required under subsections (a)(3)(B) or (a)(3)(C) to conduct toxicity testing shall use the methods prescribed at 35 Ill. Adm. Code 302. Subpart F. Such testing must have been conducted since the later of the last NPDES permit reissuance or permit modification pursuant to Section 309.182, 309.183 or 309.184 for any of the reasons listed at 40 CFR 122.62(a) (1990), herein incorporated by reference (including no later amendments or editions).

- 4) All POTWs with approved pretreatment programs shall provide the following information to the Agency: a written technical evaluation of the need to revise local limits



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pursuant to 35 Ill. Adm. Code 310.210.

BOARD NOTE: Subsections (a)(3)(B) through (a)(4) are derived from 40 CFR 122.21(i) (1990), as amended at 55 Fed. Reg. 30128 (July 24, 1990).

## b) Animal Waste Facilities

An applicant for an NPDES Permit in connection with the operation of an animal waste facility shall complete, sign, and submit an NPDES application in accordance with the provisions of 35 Ill. Adm. Code: Subtitle E, Chapter I.

## c) Mining Activities

1) If, as defined by 35 Ill. Adm. Code 402.101, mining activities are to be carried out on a facility for which an NPDES Permit is held or required, the applicant must submit a permit application as required by 35 Ill. Adm. Code 403.103, 403.104 and 405.104. If the facility will have a discharge other than a mine discharge or non-point source mine discharge as defined by 35 Ill. Adm. Code 402.101, the applicant shall also submit an NPDES Permit application in accordance with Section 309.223 on forms supplied by the Agency.

2) As provided by 35 Ill. Adm. Code 403.101, except to the extent contradicted in 35 Ill. Adm. Code: Subtitle D, Chapter I, the rules contained in this Subpart apply only to 35 Ill. Adm. Code: Subtitle D, Chapter I NPDES Permits.

3) As provided by 35 Ill. Adm. Code 406.100, except to the extent provided in 35 Ill. Adm. Code: Subtitle D, Chapter I, the effluent and water quality standards of 35 Ill. Adm. Code 302, 303 and 304 are inapplicable to mine discharges and non-point source mine discharges.

## d) New Discharges

Any person whose discharge will begin after the effective date of this Subpart A or any person having an NPDES Permit issued by the U.S. Environmental Protection Agency for an existing discharge which will substantially change in nature, or increase in volume or frequency, must apply for an NPDES Permit either:

1) No later than 180 days in advance of the date on which such NPDES Permit will be required; or

2) In sufficient time prior to the anticipated commencement of

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the discharge to insure compliance with the requirements of Section 306 of the Clean Water Act (CWA) (33 U.S.C. 1251 et seq.), or with any other applicable water quality standards and applicable effluent standards and limitations.

## e) Signatures

An application submitted by a corporation shall be signed by a principal executive officer of at least the level of vice president, or his duly authorized representative, if such representative is responsible for the overall operation of the facility from which the discharge described in the application form originates. In the case of a partnership of a sole proprietorship, the application shall be signed by a general partner or the proprietor, respectively. In the case of a publicly owned facility, the application shall be signed by either the principal executive officer, ranking elected official, or other duly authorized employee.

(Source: Amended at 15 Ill. Reg. , effective )



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1) Heading of the Part: PRETREATMENT PROGRAMS2) Code Citation: 35 Ill. Adm. Code 3103) Section Numbers: Proposed Action:

310.103 Amendment  
 310.105 Amendment  
 310.107 Amendment  
 310.110 Amendment  
 310.201 Amendment  
 310.202 Amendment  
 310.210 Amendment  
 310.220 Amendment  
 310.221 Amendment  
 310.222 Amendment  
 310.230 Amendment  
 310.232 Amendment  
 310.233 Amendment  
 310.330 Amendment  
 310.510 Amendment  
 310.611 Amendment  
 310.613 Amendment  
 310.633 Amendment  
 310.635 New Section

4) Statutory Authority: Ill. Rev. Stat. 1987, ch. 111½, pars. 1013, 1013.3 and 1027.5) A Complete Description of the Subjects and Issues Involved:

A complete description is contained in the Board's Opinion of November 21, 1991 in R91-5, which Opinion is available from the address below. Section 13.3 of the Environmental Protection Act (Ill. Rev. Stat. 1987, ch. 111½, par. 1013.3) provides that Section 5 of the Administrative Procedure Act shall not apply. Because this rulemaking is not subject to Section 5 of the APA, it is not subject to first notice or to second notice review by JCAR.

This rulemaking updates the Board's RCRA hazardous waste rules to correspond with amendments adopted by USEPA which appeared in the Federal Register during the period June 29, 1990 through December 31, 1990. This rulemaking accompanies two other segments of R91-5 that propose amendments to 35 Ill. Adm. Code 307 and 309.

Subpart A: General ProvisionsSection 310.103 Federal LawSection 310.105 Confidentiality

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Section 310.107 Incorporations by ReferenceSection 310.110 Definitions

The Board uses this opportunity to update incorporations by reference and make a small number of format corrections. None of these amendments are prompted by recent federal amendments.

The Board proposes amending 35 Ill. Adm. Code 310.103(a) and (b) to delete the volume dates for the Code of Federal Regulations. These references are not incorporations by reference. Rather, they are recitations of authorities reserved by USEPA. USEPA is not restricted to any but the latest version of its rules for authority for its actions. Therefore, the dates are superfluous and possibly misleading.

The Board proposes adding the date of the Code of Federal Regulations at 35 Ill. Adm. Code 310.105(c) for clarity and consistency with other incorporated citations. Further, the Board updates the format of the Board Note and the version of the Code of Federal Regulations cited therein.

The Board proposes updating the date of the Code of Federal Regulations referenced at 35 Ill. Adm. Code 310.107(b). This does not include 40 CFR 128.140(b) (1977), which no longer exists in the 1990 edition of the Code.

Section 310.110 Definitions

USEPA added a definition of "significant new user" to 40 CFR 403.3(t) at 55 Fed. Reg. 30129, July 24, 1990. This corresponds to 35 Ill. Adm. Code 310.107, the definitions section of Part 310. Under this definition, a "significant new user" is any industrial user (defined in this section) subject to categorical pretreatment standards or which meets certain conditions:

1. It discharges an average of 25,000 gallons per day (GPD) of process wastewater to the POTW,
2. Its process wastewater contributes five percent or more of the dry weather loading of the POTW, or
3. It has been designated as such by the POTW due to a reasonable potential for adversely affecting the POTW's operation or for violating a pretreatment standard.

The second subsection of this definition includes an exception (which does not apply to the first subsection): an industrial user may petition the local authority and the local authority may determine that the user has no reasonable potential for adversely affecting the POTW's operation or for violating a pretreatment standard. Under such a



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determination the industrial user is not a significant industrial user.

The Board proposes this definition with only minor deviation from the federal text to comport with codification requirements. One format change involves the placement of the exception clause. USEPA states the definition itself as a paragraph with two subparagraphs. The federal exception appears as a separate paragraph that applies only to the second of the two subparagraphs. The Board embodies the exception within the subsection that corresponds to the second federal subparagraphs. The exception is germane to only one half of the definition, and the Board felt that this structure more clearly conveys this fact. This is further true because Board definitions subsections do not normally include labels that would facilitate external reference to an individual subsection at the exclusion of another.

Subpart B: Pretreatment Standards

The Board proposes amendments to various Sections in 35 Ill. Adm. Code 301. Subpart B not prompted by federal amendments. These are updates of Code of Federal Regulations citations. Several other amendments derive from federal amendments.

Section 310.201 General ProhibitionsSection 310.202 Specific ProhibitionsSection 310.210 Specific Limits Developed by POTW

USEPA amended 40 CFR 403.5 at 55 Fed. Reg. 30129. Paragraph (a) corresponds to 35 Ill. Adm. Code 310.201. Paragraph (b) corresponds to 35 Ill. Adm. Code 307.1101(b) and 310.202. Paragraph (c) corresponds to 35 Ill. Adm. Code 310.210. Paragraph (e) is a solely federal enforcement provision.

The effect of the federal amendments to paragraph (b) is to add several prohibited discharges. The Board discusses the amendments to this provision above, with Section 307.1101, *supra*, at page 3. The effect of the amendments to paragraph (a)(2) is to expand the universe of specific prohibitions for which an affirmative defense is available to include two of the three new prohibited discharges: discharges of mineral oil, nondegradable cutting oils, etc. and discharges of pollutants that can cause toxic vapors and gases. The affirmative defense is already available for violations of 40 CFR 403.5(a)(1), (b)(3), (b)(4), and (b)(5) (corresponding to 35 Ill. Adm. Code 310.201(a), 307.1101(b)(6), 307.1101(b)(7), and 307.1101(b)(8) and (b)(9), respectively).

These recent federal amendments highlight an apparent deficiency in the existing text of 35 Ill. Adm. Code 310.201(b) that the Board proposes correcting as it updates that text to correspond to the new federal language. Section 310.210(b) allows the affirmative defense in the case of any of the various types of prohibited discharges. The corresponding

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federal language is selective as to the instances when the defense is available. The Board proposes amending this provision to correspond more accurately with the federal rule. The Board further proposes adding the relative pronoun "that" to subsection (b) to correspond with the federal text. We update the Board Note to indicate the most recent version of the Code of Federal Regulations, indicate the source of the more recent federal amendments, and update the format of the Board Note.

35 Ill. Adm. Code 310.202, which roughly corresponds to the 40 CFR 403.5(b) preamble, acts as a road map to 35 Ill. Adm. Code 307. Subpart B, which actually sets forth the prohibited discharges, in addition to prohibitions relating to mercury and cyanide. The regulatory language would track the federal prohibitions more closely if the Board amends the citation to "35 Ill. Adm. Code 307. Subpart B" to "35 Ill. Adm. Code 307.1101(b)." The Board proposes such an amendment. The Board also changes the citation to the Code of Federal Regulations to the recent edition and updates the format of the Board Note.

The effect of the federal amendments to paragraph (c) is to impose a continuing obligation on POTWs with approved pretreatment programs. These POTWs must continue to develop specific limits as necessary. They also must enforce these limits. The Board proposes adding the new federal language at 35 Ill. Adm. Code 310.210(a). The Board also changes the citation to the Code of Federal Regulations to the recent edition, adds a citation to the source of the federal amendments, and updates the format of the Board Note.

Section 310.220 Categorical StandardsSection 310.221 Category Determination RequestSection 310.222 Deadline for Compliance with Categorical StandardsSection 310.230 Concentration and Mass LimitsSection 310.232 DilutionSection 310.233 Combined Wastestream Formula

35 Ill. Adm. Code 310.220 derives from the preamble to 40 CFR 403.6. 35 Ill. Adm. Code 310.221 derives from 40 CFR 403.6(a). 35 Ill. Adm. Code 310.222 derives from 40 CFR 403.6(b). 35 Ill. Adm. Code 310.230 derives from 40 CFR 403.6(c). 35 Ill. Adm. Code 310.232 derives from 40 CFR 403.6(d). 35 Ill. Adm. Code 310.233 derives from 40 CFR 403.6(e).

USEPA amended the preamble language of 40 CFR 403.6 at 55 Fed. Reg. 30129, July 24, 1990. The amendment changed a citation to the general prohibitions of section 403.5 to a citation to the "applicable pretreatment standards and requirements" of part 403. The corresponding Illinois standards and requirements appear at 35 Ill. Adm. Code 307.1101 and 310. The Board proposes amending the citation at 35 Ill. Adm. Code 310.220 to "the general prohibitions established in Sections 310.201 through 310.211" (an obvious error) to "the standards and requirements set forth at 35 Ill. Adm. Code 307.1101 and 310."



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In addition to the amendment prompted by the federal amendment, the Board effects other, non-substantive amendments. For each of 35 Ill. Adm. Code 310.220 through 310.233, the Board also changes the citations to the Code of Federal Regulations to the recent edition, adds a citation to the source of the federal amendments, and updates the format of the Board Notes.

Subpart C: Removal CreditsSection 310.330 Exception to POTW Pretreatment Program

35 Ill. Adm. Code 310.330 derives from 40 CFR 403.7(d). USEPA did not amend the corresponding federal provision during the update period. Rather, the Board effects non-substantive revisions to this Section. The Board changes the citation to the Code of Federal Regulations to the recent edition and updates the format of the Board Note.

Subpart E: POTW Pretreatment ProgramsSection 310.510 Pretreatment Program Requirements: Development and Implementation by POTW

35 Ill. Adm. Code 310.510 derives from 40 CFR 403.8(f). USEPA extensively amended the corresponding federal provision at 55 Fed. Reg. 30129, July 24, 1990. The effect of the federal amendments is to revise the section title, to reword the preamble language, and to impose several new requirements. The object of the title change and rewording of the preamble is to more pointedly state that "POTW pretreatment programs must be based on legal authorities and procedures which shall at all times be fully and effectively exercised and implemented." 55 Fed. Reg. 30127.

The major thrust of the amendments to 40 CFR 403.8 involves increased regulation of significant industrial users. This Opinion discusses the new definition of "significant new user," supra at page 11. At 40 CFR 403.8(f)(1)(iii) (corresponding with 35 Ill. Adm. Code 310.510(a)(3)), the federal amendments require the POTW to issue enforceable permits or "individual control mechanisms" to significant industrial users, and they specify a number of conditions these mechanisms must include. These conditions include a duration not to exceed five years, a statement of non-transferability without prior notice to the POTW, discharge limitations, monitoring and recordkeeping requirements, and a statement of applicable penalties for violation. USEPA amended paragraph (f)(1)(vi)(B) (corresponding with Section 310.510(a)(6)(B)) to require the POTW to seek remedies for non-compliance with the conditions in a permit or individual control mechanism.

Another new requirement impose don the POTW relating to significant

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Industrial users is the requirement to determine industrial users' status as such and to notify the Agency and the user. New federal paragraph (f)(6) (corresponding with Section 310.510(f)) requires each POTW to prepare lists of entities meeting various criteria of the definition of "significant new user" and submit the lists to the Agency. (The lists and subsequent modifications are deemed approved 90 days after submission.) The amendment to paragraph (f)(2)(iii) (corresponding with Section 310.510(b)(3)) requires the POTW to notify significant industrial users of their status as such within 30 days after Agency approval of the lists or subsequent modification. New language at the end of paragraph (f)(2)(v) (corresponding with Section 310.510(b)(5)) requires POTWs to sample and analyze effluent from each significant industrial user at least once a year, and to determine at least once every two years whether each user needs a plan to control slug discharges. If such control is necessary, the amended rule includes minimum requirements for plan contents.

Other amendments to 40 CFR 403.8(f) relate to enforcement, some of which clarify various provisions. Part of the amendment to 40 CFR 403.8(f)(1)(vi)(B) (corresponding with 35 Ill. Adm. Code 310.510(a)(6)(B)) now specifies that the Agency may independently seek relief when it feels the monetary penalty sought by the POTW against a POTW is insufficient. The procedural provision relating to ex parte temporary injunctive relief is now gone from this provision. At 40 CFR 403.8(f)(2)(vii) (corresponding with Section 310.510(b)(7)), the provision requiring newspaper notice of industrial users found in violation during the preceding 12 months, the focus has changed to noncompliant users, and noncompliance is now extensively defined for the purposes of this notice requirement. New federal paragraph (f)(5) (corresponding with Section 310.510(e)) requires POTWs to assemble an enforcement response plan for investigation of noncompliance. This provision outlines minimum plan requirements.

The Board proposes adopting amendments to correspond with the new federal amendments. The Board revises the federal language minimally--only to the extent necessary to comport with the state regulatory format. Additionally, the Board repunctuates various subsections of Section 310.510 for consistency, updates the reference to the Code of Federal Regulations in the Board Note, and adds a citation to the source of the more recent federal amendments.

Subpart F: Reporting RequirementsSection 310.611 Requirements for Non-Categorical Standard Users

35 Ill. Adm. Code 310.611 derives from 40 CFR 403.12(h). USEPA amended 40 CFR 403.12(h) at 55 Fed. Reg. 30131, July 24, 1990). These amendments impose significant semi-annual reporting requirements on significant non-categorical users. The significant noncategorical



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industrial user must assemble these reports using specified procedures and submit them to the control authority (the Agency, unless the POTW has an authorized pretreatment program) unless the POTW has already done so. This provision defines a "significant noncategorical user" as a significant industrial user that is not subject to categorical pretreatment standards.

The Board proposed adoption of the federal amendments with only as much revision as is required for codification in the Illinois rule. The Board also amends the Board note to reflect the most recent edition of the Code of Federal Regulations and adds a reference to the source of the federal amendments.

Section 310.613 Notification of Changed DischargeSection 310.635 Notification of Discharge of Hazardous Waste

35 Ill. Adm. Code 310.613 derives from 40 CFR 403.12(j). New 35 Ill. Adm. Code 310.635 derives from new 40 CFR 403.12(p). USEPA amended 40 CFR 403.12(j) and added 40 CFR 403.12(p) at 55 Fed. Reg. 30131, July 24, 1990). New paragraph (p) requires industrial users to notify the POTW and the Agency of any discharge of a material that would otherwise be a hazardous waste pursuant to 40 CFR 261 (corresponding with 35 Ill. Adm. Code 721). If the discharge is greater than 100 kilograms (kg) (about 221 pounds (lbs.)) per month, the provision specifies specific informational requirements. The initial notification must occur within 180 days of the effective date of the rule, within 180 days of when the discharge begins, or within 90 days of the effective date of regulations for newly-listed hazardous wastes. Only one notification is required for each hazardous waste discharged, and no notification is required where the user has already reported under the self-monitoring requirements of 40 CFR 403.12(b), (d), and (e) (corresponding with 35 Ill. Adm. Code 310.602, 310.604, and 310.605). The threshold quantity of hazardous waste that triggers the reporting requirement is 15 kg (about 33 lbs.), unless the waste is an acutely hazardous waste, in which the user must report the discharge of any quantity. The user must certify with the report that it has a program for the reduction of hazardous waste volume and toxicity to the extent economically practical.

The federal amendment of 40 CFR 403.12(j) (corresponding with 35 Ill. Adm. Code 310.613) is related to the addition of paragraph (p), but it imposes an additional, independent requirement. Under amended paragraph (j), a user must notify the POTW in advance of any substantial change in the character or quantity of any listed and characteristic hazardous wastes in its discharge.

The Board proposes adoption of the federal amendments with the minimal, non-substantive revisions necessary to comport with the Illinois regulatory format. The Board further revises the Board Notes at both

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Section 310.613 and 310.635 to reflect the most recent edition of the Code of Federal Regulations and to reflect the source of the more recent federal amendments.

Section 310.633 Fraud and False Statements

35 Ill. Adm. Code 310.633 derives from former 40 CFR 403.12(n). USEPA amended 40 CFR 403.12(n) at 55 Fed. Reg. 30131, July 24, 1990). The amendments to this provision broaden the perjury warning to include the definition at Section 309(c)(6) of the Clean Water Act, 33 U.S.C. § 1319(c)(6), which renders "responsible corporate officers" subject to penalties for perjury.

The Board proposes adoption of the federal amendment without substantive change. The Board further revises the citation to "Sections 310.602, 310.604, 310.605, 310.611, 310.612, and 310.621" to "this Subpart." The corresponding federal citation is to "this section" (40 CFR 403.12), for which the corresponding Board rules are located throughout 35 Ill. Adm. Code 310.Subpart F. The Board changes the reference in the Board Note to the latest edition of the Code of Federal Regulations and adds a citation to the source of the later federal amendments.

6) Will these proposed amendments replace emergency amendment currently in effect? No.

7) Does this rulemaking contain an automatic repeal date? No.

8) Does these proposed amendments contain incorporations by reference?

Yes. Section 310.107 is the central incorporations by reference for this Part. This rulemaking updates the references to several provisions of the Code of Federal Regulations to the most recent version.

9) Are there any other amendments pending on this Part? No.

10) Statement of Statewide Policy Objectives:

This rulemaking is mandated by Section 13.3 of the Environmental Protection Act. The statewide policy objectives are set forth in Section 11 of that Act. This rulemaking imposes mandates on units of local government to the extent they pretreat industrial waste or operate a publicly owned treatment works required to have a pretreatment program.

11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking:

The Board will accept written public comment on this proposal for a period of 45 days after the date of this publication. Comments should



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reference Docket R91-5 and be addressed to:

Ms. Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board  
State of Illinois Center, Suite 11-500  
100 W. Randolph St.  
Chicago, IL 60601

## 12) Initial Regulatory Flexibility Analysis:

A) Date rule was submitted to the Small Business Office of the Department of Commerce and Community Affairs: November 25, 1991.

B) Types of small businesses affected:

This rulemaking affects those small businesses disposing of industrial wastewaters into the sewage collection system of a publicly owned treatment works.

C) Reporting, bookkeeping or other procedures required for compliance:

The existing rules and proposed amendments require extensive reporting, bookkeeping and other procedures, including the preparation of manifests and annual reports, waste analyses and maintenance of operating records.

D) Types of professional skills necessary for compliance:

Compliance with the existing rules and proposed amendments may require the services of an attorney, certified public accountant, chemist and registered professional engineer.

The full text of the proposed amendments begins on the next page:

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TITLE 35: ENVIRONMENTAL PROTECTION  
SUBTITLE C: WATER POLLUTION  
CHAPTER I: POLLUTION CONTROL BOARD

## PART 310

## PRETREATMENT PROGRAMS

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## 310.913 Prohibition of Bypass

## SUBPART K: MODIFICATION OF POTW PRETREATMENT PROGRAMS

## Section

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310.921 Procedures

310.922 Substantial Modifications

AUTHORITY: Implementing and authorized by Sections 13, 13.3, and 27 of the Environmental Protection Act (Ill. Rev. Stat. 1987, ch. 111-1/23, par. 1013, 1013.3, and 1027 as amended by P.A. 85-1048, effective January 1, 1989).

SOURCE: Adopted in R86-44 at 12 Ill. Reg. 2502, effective January 13, 1988; amended in R88-18 at 13 Ill. Reg. 2463, effective January 31, 1989; amended in R89-3 at 13 Ill. Reg. 19243, effective November 27, 1989; amended in R89-12 at 14 Ill. Reg. 7608, effective May 8, 1990; amended in R91-5 at 15 Ill. Reg. , effective , effective

## SUBPART A: GENERAL PROVISIONS

## Section 310.103 Federal Law

a) The Board intends that this Part be identical in substance with the pretreatment requirements of the Clean Water Act (33 USC 1251 et seq.) and United States Environmental Protection Agency (USEPA) regulations at 40 CFR 401 et seq. ~~(1986)~~.

b) This Part will allow the Agency to issue pretreatment permits, review POTW pretreatment plans and authorize POTW's to issue authorizations to discharge to industrial users when and to the extent USEPA authorizes the Illinois pretreatment program pursuant to the Clean Water Act. After authorization the requirements of the Clean Water Act and 40 CFR 401 et seq. will continue in Illinois. In particular, USEPA will:

- 1) Retain the right to request information pursuant to 40 CFR 403.8(f) ~~(1986)~~; and
- 2) Retain the right to inspect and take samples pursuant to 40 CFR 403.12(1).

c) This Part shall not be construed as exempting any person from compliance, prior to authorization of the Illinois pretreatment program, with the pretreatment requirements of the Clean Water Act, USEPA regulations and NPDES permit conditions.

d) POTW pretreatment programs which have been approved by USEPA pursuant to 40 CFR 403 will be deemed approved pursuant to this

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Part, unless the Agency determines that it is necessary to modify the POTW pretreatment program to be consistent with State law.

1) The Agency shall notify the POTW of any such determination within 60 days after approval of the program by USEPA, or within 60 days after USEPA authorizes the Illinois pretreatment program, whichever is later.

2) If the Agency so notifies the POTW, the POTW will apply for program approval pursuant to Section 310.501 et seq.

e) USEPA's access to Agency records and information in possession of the Agency shall be governed by the memorandum of agreement between USEPA and the Agency, subject to confidentiality requirements in Section 310.105.

(Source: Amended at 15 Ill. Reg. , effective )  
Section 310.105 Confidentiality

a) Information and data provided to the control authority pursuant to this Part which is effluent data shall be available to the public without restriction.

b) With respect to the Board and Agency, confidentiality shall be governed by 35 Ill. Adm. Code 120 and 161.

c) The Agency and POTW's shall make information available to the public at least to the extent provided by 40 CFR 2.302 ~~(1990)~~, incorporated by reference in Section 310.107.

~~Board Note~~BOARD NOTE: Derived from 40 CFR 403.14 (1986) ~~(1990)~~.  
(Source: Amended at 15 Ill. Reg. , effective )  
Section 310.107 Incorporations by Reference

a) The following publications are incorporated by reference:

- 1) The consent decree in NRDC v. Costle, 12 Environment Reporter Cases 1833 (D.C. Cir. August 16, 1978).
- 2) Standard Industrial Classification Manual (1972), and 1977 Supplement, republished in 1983, available from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20401.

b) The following provisions of the Code of Federal Regulations are incorporated by reference:

- 40 CFR 2.302 (1989) ~~(1990)~~
- 40 CFR 25 (1989) ~~(1990)~~



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40 CFR 122, Appendix D, Tables II and III (198990)

40 CFR 128.140(b) (1977)

40 CFR 136 (198990)

40 CFR 403 (198990)

40 CFR 403, Appendix D (198990)

c) The following federal statutes are incorporated by reference:

1) Section 1001 of the Criminal Code (18 U.S.C. 1001) as of July 1, 1988

2) Clean Water Act (33 U.S.C. 1251 et seq.) as of July 1, 1988

3) Subtitles C and D of the Resource Conservation and Recovery Act (42 U.S.C. 6901 et seq.) as of July 1, 1988

d) This Part incorporates no future editions or amendments.

(Source: Amended at 15 Ill. Reg. , effective )

## Section 310.110 Definitions

"Act" means the Environmental Protection Act (Ill. Rev. Stat. 1987, ch. 111-1/2<sup>1</sup>, par. 1001 et seq.)

"Agency" means the Illinois Environmental Protection Agency.

"Approval Authority" means the Agency.

BOARD NOTE: Derived from 40 CFR 403.3(c) (198990).

"Approved POTW Pretreatment Program" or "Program" or "POTW Pretreatment Program" means a program administered by a POTW which has been approved by the Agency in accordance with Sections 310.541 through 310.546.

BOARD NOTE: Derived from 40 CFR 403.3(d) (198990).

"Authorization to discharge" means an authorization issued to an industrial user by a POTW which has an approved pretreatment program. The authorization may consist of a permit, license, ordinance or other mechanism as specified in the approved pretreatment program.

"Blowdown" means the minimum discharge of recirculating water for the purpose of discharging materials contained in the water, the

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further buildup of which would cause concentration in amounts exceeding limits established by best engineering practice.  
BOARD NOTE: Derived from 40 CFR 401.11(p) (198990).

"Board" means the Illinois Pollution Control Board.

"CWA" means Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, incorporated by reference in Section 310.107.

BOARD NOTE: Derived from 40 CFR 403.3(b) (198990).

"Control authority" is as defined in Section 310.601.

"Indirect Discharge" or "Discharge" means the introduction of pollutants into a POTW from any non-domestic source regulated under Section 307(b), (c) or (d) of the CWA (33 U.S.C. 1317(b), (c) or (d)).

BOARD NOTE: Derived from 40 CFR 403.3(g) (198990).

"Industrial User" or "User" means a source of indirect discharge. As used in this Part, an "industrial user" includes any person who meets any of the following criteria:

Discharges toxic pollutants as defined by 35 Ill. Adm. Code 307.1005.

Is subject to a categorical standard adopted or incorporated by reference in 35 Ill. Adm. Code 307.

Discharges more than 15% of the total hydraulic flow received by the POTW treatment plant.

Discharges more than 15% of the total biological loading of the POTW treatment plant as measured by the 5-day biochemical oxygen demand.

Has caused pass through or interference. Or,

Has presented an imminent endangerment to the health or welfare of persons.

BOARD NOTE: Derived from 40 CFR 403.3(h) (198990).

"Industrial wastewater" means waste of a liquid nature discharged by an industrial user to a sewer tributary to a POTW.

"Interference" means a discharge which, alone or in conjunction with a discharge or discharges from other sources, both:

Inhibits or disrupts the POTW, its treatment processes or



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operations, or its sludge processes, use or disposal; and  
Therefore is a cause of a violation of any requirement of  
the POTW's NPDES permit (including an increase in the  
magnitude or duration of a violation) or of the prevention  
of sewage sludge disposal in compliance with any "sludge  
requirements."

BOARD NOTE: Derived from 40 CFR 403.3(i) (198990).

"Municipal sewage" is sewage treated by a POTW exclusive of its  
industrial component.

"Municipal sludge" is sludge produced a POTW treatment works.

"Municipality." See "unit of local government."

"New source" means "new source" as defined in Section 310.111.

BOARD NOTE: Derived from 40 CFR 401.11(c) and 403.3(k) (198990).

"Noncontact cooling water" means water used for cooling which does  
not come into direct contact with any raw material, intermediate  
product, waste product or finished product.

BOARD NOTE: Derived from 40 CFR 401.11(n) (198990).

"Noncontact cooling water pollutants" means pollutants present in  
noncontact cooling waters.

BOARD NOTE: Derived from 40 CFR 401.11(o) (198990).

"NPDES Permit" means a permit issued to a POTW pursuant to Section  
402 of the CWA, or Section 12(f) of the Act and 35 Ill. Adm. Code  
309.Subpart A.

BOARD NOTE: Derived from 40 CFR 403.3(l) (198990).

"O and M" means operation and maintenance.

"Pass through" means a discharge of pollutants which exits the  
POTW into waters of the State in quantities or concentrations  
which, alone or in conjunction with a discharge or discharges from  
other sources, is a cause of a violation of any requirement of the  
POTW's NPDES permit (including an increase in the magnitude or  
duration of a violation).

BOARD NOTE: Derived from 40 CFR 403.3(n) (198990).

"Person" means an individual, corporation, partnership,  
association, State, "unit of local government" or any interstate  
body. This term includes the United States government, the State  
of Illinois and their political subdivisions.

BOARD NOTE: Derived from 40 CFR 401.11(m) (198990) and 33 U.S.C.  
1362(5).

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"Pollutant" means dredged spoil, solid waste, incinerator residue,  
sewage, garbage, sewage sludge, munitions, chemical wastes,  
biological materials, radioactive materials, heat, wrecked or  
discarded equipment, rock, sand, cellar dirt and industrial,  
municipal and agricultural waste discharged into a sewer.  
BOARD NOTE: Derived from 40 CFR 401.11(f) (198990).

"Pollution" means the man-made or man-induced alteration of the  
chemical, physical, biological and radiological integrity of  
water.

BOARD NOTE: Derived from 40 CFR 401.11(g) (198990).

"POTW" means "Publicly Owned Treatment Works," which is defined  
below.

"POTW Treatment Plant" means that portion of the POTW which is  
designed to provide treatment (including recycling and  
reclamation) of municipal sewage and industrial wastewater.

BOARD NOTE: Derived from 40 CFR 403.3(p) (198990).

"Pretreatment" means the reduction of the amount of pollutants,  
the elimination of pollutants or the alteration of the nature of  
pollutant properties in wastewater prior to or in lieu of  
discharging or otherwise introducing such pollutants into a POTW.  
The reduction or alteration may be obtained by physical, chemical  
or biological processes, process changes or by other means, except  
as prohibited by Section 310.232. Appropriate pretreatment  
technology includes control equipment, such as equalization tanks  
or facilities, for protection against surges or slug loadings  
which might interfere with or otherwise be incompatible with the  
POTW. However, where wastewater from a regulated process is mixed  
in an equalization facility with unregulated wastewater or with  
wastewater from another regulated process, the effluent from the  
equalization facility must meet an adjusted pretreatment limit  
calculated in accordance with Section 310.233.

BOARD NOTE: Derived from 40 CFR 403.3(q) (198990).

"Pretreatment permit" means an authorization to discharge to a  
sewer which is issued by the Agency as the control authority.

"Pretreatment requirements" means any substantive or procedural  
requirement related to pretreatment, other than a pretreatment  
standard, imposed on an industrial user.

BOARD NOTE: Derived from 40 CFR 403.3(r) (198990).

"Pretreatment standard," or "standard" means any regulation  
containing pollutant discharge limits promulgated by USEPA, and  
incorporated by reference in 35 Ill. Adm. Code 307. This term



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includes prohibitive discharge limits established pursuant to Section 310.201 through 310.213 or 35 Ill. Adm. Code 307.1101. This term also includes more stringent prohibitions and standards adopted by the Board in this Part or 35 Ill. Adm. Code 307, including 35 Ill. Adm. Code 307.1101, 307.1102 and 307.1103. The term also includes local limits pursuant to Section 310.211 which are a part of an approved pretreatment program.

BOARD NOTE: Derived from 40 CFR 403.3(j) (198990).

"Process wastewater" means any water which, during manufacturing or processing, comes into direct contact with or results from the production or use of any raw material, intermediate product, finished product, by-product or waste product.

BOARD NOTE: Derived from 40 CFR 401.11(q) (198990).

"Process wastewater pollutants" means pollutants present in process wastewater.

BOARD NOTE: Derived from 40 CFR 401.11(r) (198990).

"Publicly owned treatment works" or "POTW" means a "treatment works" which is owned by the State of Illinois or a "unit of local government." This definition includes any devices and systems used in the storage, treatment, recycling and reclamation of municipal sewage or industrial wastewater. It also includes sewers, pipes and other conveyances only if they convey wastewater to a POTW treatment plant. The term also means the "unit of local government" which has jurisdiction over the indirect discharges to and the discharges from such a treatment works.

BOARD NOTE: Derived from 40 CFR 403.3(o) (198990).

"Schedule of compliance" means a schedule of remedial measures included in an authorization to discharge or a pretreatment permit, or an NPDES permit, including an enforceable sequence of interim requirements (for example, actions, operations or milestone events) leading to compliance with this Part and 35 Ill. Adm. Code 307. A schedule of compliance does not protect an industrial user or POTW from enforcement.

BOARD NOTE: Derived from 40 CFR 401.11(m) (198990) and 33 U.S.C. 1362(17).

"Significant industrial user" means as follows:

All industrial users subject to categorical pretreatment standards under Section 310.220 through 310.233 and 35 Ill. Adm. Code 307, and

Any other industrial user that discharges an average of 25,000 gallons per day or more of process wastewater to the POTW (excluding sanitary, noncontact cooling and boiler

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blowdown wastewater); contributes a process wastewater which makes up five percent or more of the average dry weather hydraulic or organic capacity of the POTW treatment plant; or is designated as such by the control authority, as defined in Section 310.601, on the basis that the industrial user has a reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement (in accordance with Section 310.510(f)).

except, upon a finding that an industrial user meeting the criteria of this subsection has no reasonable potential for adversely affecting the POTW's operation of for violating any pretreatment standard or requirement, the control authority, as defined in Section 310.601, may at any time, on its own initiative or in response to a petition received from an industrial user or POTW may determine in accordance with Section 310.510(f) that such industrial user is not a significant industrial user.

BOARD NOTE: Derived from 40 CFR 403.3(t) (1989), as added at 55 Fed. Reg. 30129, July 24, 1990.

"Sludge requirements" means any of the following permits or regulations: 35 Ill. Adm. Code 309.155 (NPDES Permits), 309.208 (Permits for Sites Receiving Sludge for Land Application), 703.121 (RCRA Permits), 807.202 (Solid Waste Permits), the Toxic Substances Control Act (15 U.S.C. 2601) or the Marine Protection, Research and Sanctuaries Act (33 U.S.C. 1401), Section 39(b) of the Act (NPDES Permits), and Section 405(b) of the Clean Water Act (federally-imposed sludge use and management requirements).

BOARD NOTE: Derived from 40 CFR 403.3(i) and 403.7(a) (198990).

"Submission" means a request to the Agency by a POTW for approval of a pretreatment program, or for authorization to grant removal credits.

BOARD NOTE: Derived from 40 CFR 403.3(t) (198990).

"Treatment works" is as defined in 33 U.S.C. 1292(2) (1987). It includes any devices and systems used in the storage, treatment, recycling and reclamation of municipal or industrial wastewater to implement 33 U.S.C. 1281, or necessary to recycle or reuse water at the most economical cost over the estimated life of the works, including intercepting sewers, outfall sewers, sewage collection systems, pumping, power and other equipment.

BOARD NOTE: Derived from 40 CFR 403.3(o) (198990) and 33 U.S.C. 1292(2).

"Unit of local government" means a unit of local government, as defined by Art. 7, Sec. 1 of the Illinois Constitution, having jurisdiction over disposal of sewage. "Unit of local government" includes, but is not limited to, municipalities and sanitary



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districts.

BOARD NOTE: Derived from 40 CFR 401.11(m) (199990) and 33 U.S.C. 1362(4).

"USEPA" means the United States Environmental Protection Agency.

(Source: Amended at 15 Ill. Reg. , effective )

## SUBPART B: PRETREATMENT STANDARDS

## Section 310.201 General Prohibitions

a) No industrial user shall introduce into a POTW any pollutant which causes pass through or interference.

b) Affirmative defenses. An industrial user has an affirmative defense in any action brought against it alleging a violation of subsection (a) or 35 Ill. Adm. Code 307.1101(b)(6) through (b)(9) or (b)(11) through (b)(12) if the industrial user demonstrates that:

1) The industrial user did not know or have reason to know that its discharge, alone or in conjunction with a discharge or discharges from other sources, would cause pass through or interference; and

2) Either:

A) The POTW developed in accordance with Section 310.210 a local limit which was designed to prevent pass through or interference for each pollutant in the industrial user's discharge which caused pass through or interference, and the industrial user was in compliance with each such local limit immediately prior to and during the pass through or interference; or

B) If the POTW has not developed in accordance with Section 310.210 local limits which are designed to prevent pass through or interference for the pollutants which caused the pass through or interference, the industrial user's discharge immediately prior to and during the pass through or interference did not change substantially in nature or constituents from the industrial user's prior discharge activity during which the POTW was regularly in compliance with the POTW's NPDES permit requirements and, in the case of interference, sludge requirements.

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c) These general prohibitions and the specific prohibitions in Section 310.202 apply to each industrial user introducing pollutants into a POTW whether or not the industrial user is subject to other pretreatment standards or any national, state or local pretreatment requirements.

~~BOARD NOTE:~~ Derived from 40 CFR 403.5(a) (198690), as amended at 525 Fed. Reg. 160030129, January 14, 1987, July 24, 1990.

(Source: Amended at 15 Ill. Reg. , effective )

## Section 310.202 Specific Prohibitions

No person shall cause or allow the introduction into a POTW of the pollutants specified in 35 Ill. Adm. Code 307.1101(b).

~~BOARD NOTE:~~ Derived from 40 CFR 403.5(b) (198690).

(Source: Amended at 15 Ill. Reg. , effective )

## Section 310.210 Specific Limits Developed by POTW

a) Each POTW which is required to develop a pretreatment program shall, as part of the program, develop and enforce specific limits to implement the prohibitions listed in Sections 310.201(a) and 310.202. Each POTW with an approved pretreatment program shall continue to develop these limits as necessary and to effectively enforce such limits.

b) POTW's which are not required to develop a pretreatment program shall, in cases where pollutants contributed by one or more industrial users result in interference or pass through, and such violation is likely to recur, develop and enforce specific discharge limits for industrial users, which, together with appropriate changes in the POTW treatment plant's facilities or operation, are necessary to ensure renewed and continued compliance with the POTW's NPDES permit, and sludge requirements.

c) Prior to developing specific discharge limits, POTW's shall give, to persons or groups which have requested notice, individual notice and an opportunity to respond.

d) The POTW shall base limitations developed pursuant to this Section on the characteristics and treatability of the wastewater by the POTW, effluent limitations which the POTW must meet, sludge requirements, water quality standards in the receiving stream and the pretreatment standards and requirements of this Part and 35



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Ill. Adm. Code 307.

~~(Board Note-BOARD NOTE:~~ Derived from 40 CFR 403.5(c) (198690), as amended at 525 Fed. Reg. 160030129, ~~January 14, 1987~~ July 24, 1990.

(Source: Amended at 15 Ill. Reg. , effective )

## Section 310.220 Categorical Standards

Pretreatment standards specifying quantities or concentrations of pollutants or pollutant properties which may be discharged to a POTW by existing or new industrial users in specific industrial subcategories will be established as separate regulations under 35 Ill. Adm. Code 307. These standards, unless specifically noted otherwise, shall be in addition to the general ~~pretreatment~~ ~~established in Sections 310-201 through 310-211~~ standards and requirements set forth at 35 Ill. Adm. Code 307.1101 and 310.

~~(Board Note-BOARD NOTE:~~ Derived from 40 CFR 403.6 preamble (198690), as amended at 55 Fed. Reg. 30129, July 24, 1990.

(Source: Amended at 15 Ill. Reg. , effective )

## Section 310.221 Category Determination Request

## a) Application deadline.

- 1) The industrial user or POTW may request that the Agency provide written certification as to whether the industrial user falls within that particular subcategory. If an existing industrial user adds or changes a process or operation which may be included in a subcategory, the existing industrial user shall request this certification prior to commencing discharge from the added or changed processes or operation. With respect to new standards:

A) The POTW or industrial user shall direct to USEPA any category determination requests for pretreatment standards adopted by USEPA prior to authorization of the Illinois program.

B) After authorization of the Illinois program, the POTW or industrial user shall direct to the Agency any category determination requests within 60 days after the Board adopts or incorporates by reference a pretreatment standard for a subcategory under which an industrial user may be included.

- 2) A new source shall request this certification prior to

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commencing discharge.

- 3) If a request for certification is submitted by a POTW, the POTW shall notify any affected industrial user of such applications. The industrial user may provide written comments on the POTW submissions to the Agency within 30 days of notification.

## b) Contents of application. Each request shall contain a statement:

- 1) Describing which subcategories might be applicable; and
- 2) Citing evidence and reasons why a particular subcategory is applicable and why others are not applicable. Any person signing the application statement submitted pursuant to this Section shall make the following certification:

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

- c) Deficient requests. The Agency shall act only on written requests for determinations which contain all of the information required. The Agency shall notify persons who have made incomplete submissions that their requests are deficient and that, unless the time period is extended, they have 30 days to correct the deficiency. If the deficiency is not corrected within 30 days or within an extended period allowed by the Agency, the Agency shall deny the request for a determination.

## d) Final determination.

- 1) When the Agency receives a submission, the Agency shall, if it determines that the submission contains all of the information required by subsection (b), consider the submission, any additional evidence that may have been requested and any other available information relevant to the request. The Agency shall then make a written determination of the applicable subcategory and state the



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reasons for the determination.

- 2) The Agency shall forward the determination described in subsection (d)(1) to USEPA. If USEPA does not modify the Agency's decision within 60 days after its receipt, the Agency's decision is final.
- 3) If USEPA modifies the Agency's decision, USEPA's decision will be final.
- 4) The Agency shall send a copy of the determination to the affected industrial user and the POTW. If the final determination is made by USEPA, the Agency shall send a copy of the determination to the user.
- e) Requests for hearing or legal decision.
  - 1) Within 30 days following the date of receipt of notice of the final determination as provided for by subsection (d)(4), the requester may submit a petition to reconsider or contest the decision to USEPA, which will act pursuant to 40 CFR 403.6(a)(5).
  - 2) Within 35 days following the date of receipt of notice of the final determination as provided for by subsections (c), (d)(2) or (d)(4), the requester may appeal a final decision made by the Agency to the Board.

BOARD NOTE: Derived from 40 CFR 403.6(a) (198920), as amended at ~~53 Fed. Reg. 40611, October 17, 1988.~~

(Source: Amended at 15 Ill. Reg. , effective )

## Section 310.222 Deadline for Compliance with Categorical Standards

- a) If a compliance date for an existing or new source categorical pretreatment standard is adopted or incorporated by reference in 35 Ill. Adm. Code 307, then industrial users shall comply with the standard by the following times, whichever is last:
  - 1) The date specified or incorporated by reference; or
  - 2) The date the Board adopts or incorporates the standard by reference; or
  - 3) The date USEPA approves the Illinois pretreatment program.
- b) If no compliance date for a categorical pretreatment standard is adopted or incorporated by reference in 35 Ill. Adm. Code 307,

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then industrial users shall comply with the standard by the following times, whichever is last:

- 1) The date the Board adopts or incorporates the standard by reference; or
- 2) The date USEPA approves the Illinois pretreatment program.
- c) This Section shall not be construed as extending compliance dates for enforcement of categorical pretreatment standards pursuant to statutes and regulations existing prior to authorization of the Illinois pretreatment program.

BOARD NOTE: Derived from 40 CFR 403.6(b) (198920), as amended at ~~53 Fed. Reg. 40611, October 17, 1988.~~

(Source: Amended at 15 Ill. Reg. , effective )

## Section 310.230 Concentration and Mass Limits

- a) Pollutant discharge limits in categorical pretreatment standards will be expressed either as concentration or mass limits. Limits in categorical pretreatment standards shall apply to the discharge from the process regulated by the standard or as otherwise specified by the standard.
- b) When the limits in a categorical pretreatment standard are expressed only in terms of mass of pollutant per unit of production, the control authority may convert the limits to equivalent limitations expressed either as mass of pollutant discharged per day or effluent concentration for purposes of calculating effluent limitations applicable to individual industrial users.
- c) A control authority calculating equivalent mass-per-day limitations under subsection (b) shall calculate such limitations by multiplying the limits in the standard by the industrial user's average rate of production. This average rate of production shall be based not upon the designed production capacity, but rather upon a reasonable measure of the industrial user's actual long-term daily production during a representative year. For new sources, actual production shall be estimated using projected production.
- d) A control authority calculating equivalent concentration limitations under subsection (b) shall calculate such limitations by dividing the mass limitations derived under subsection (c) by the average daily flow rate of the industrial user's regulated process wastewater. This average daily flow rate must be based



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upon a reasonable measure of the industrial user's actual long-term average flow rate, such as the average daily flow rate during the representative year.

- e) Equivalent limitations calculated in accordance with subsections (c) and (d) are deemed pretreatment standards. Industrial users shall be required to comply with the equivalent limitations instead of the promulgated categorical standards from which the equivalent limitations were derived.
- f) Many categorical pretreatment standards specify one limit for calculating maximum daily discharge limitations and a second limit for calculating maximum monthly average or 4-day average, limitations. Where such standards are being applied, the same production of flow figure shall be used in calculating both types of equivalent limitations.
- g) Any industrial user operating under a control mechanism incorporating equivalent mass or concentration limits calculated from a production based standard shall notify the control authority within two (2) business days after the user has a reasonable basis to know that the production level will significantly change within the next calendar month. Any user not notifying the control authority of such anticipated change will be required to meet the mass or concentration limits in its control mechanism that were based on the original estimate of the long term average production rate.

BOARD NOTE: Derived from 40 CFR 403.6(c) (198920), as amended at 53 Fed. Reg. 40611, October 17, 1988.

(Source: Amended at 15 Ill. Reg. , effective )

## Section 310.232 Dilution

Except where expressly authorized to do so by an applicable categorical pretreatment standard or requirement, no industrial user shall increase the use of process water or, in any other way, attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with a pretreatment standard or requirement. The control authority may impose mass limitations on industrial users which are using dilution to meet applicable pretreatment standards or in other cases where the imposition of mass limitations is appropriate. POTW's may allow dilution to meet local limits developed under Section 310.210.

BOARD NOTE: Derived from 40 CFR 403.6(d) (198920), as amended at 53 Fed. Reg. 40611, October 17, 1988.

(Source: Amended at 15 Ill. Reg. , effective )

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## Section 310.233 Combined Wastestream Formula

Where process wastewater is mixed prior to treatment with wastewaters other than those generated by the regulated process, the control authority shall derive fixed alternative discharge limits, which the control authority shall apply to the mixed discharge. When it is deriving alternative categorical limits, the control authority shall calculate both an alternative daily maximum value using the daily maximum values specified in the appropriate categorical pretreatment standards and an alternative consecutive sampling day average value using the average monthly values specified in the appropriate categorical pretreatment standards. The industrial user shall comply with the alternative daily maximum and average monthly limits fixed by the control authority until the control authority modifies the limits or approves an industrial user modification request. Modification is authorized whenever there is a material or significant change in the values used in the calculation to fix alternative limits for the regulated pollutant. An industrial user shall immediately report any such material or significant change to the control authority. Where appropriate, the control authority shall calculate new alternative categorical limits within 30 days.

- a) Alternative limit calculation. For purposes of these formulas, the "average daily flow" means a reasonable measure of the average daily flow for a 30-day period. For new sources, flows shall be estimated using projected values. The control authority shall derive the alternative limit for a specified pollutant by the use of either of the following formulas:

- 1) Alternative concentration limit.

$$C = (T-D) \text{SUM}(CiFi) / (T) \text{SUM}(Fi)$$

where

C = The alternative concentration limit for the combined wastestream.

Ci = The categorical pretreatment standard concentration limit for a pollutant in the regulated stream i.

Fi = The average daily flow (at least a 30-day average) of stream i to the extent that it is regulated for such pollutant.

"SUM(Ci)" means the sum of the results of calculation G for streams i = 1 to i = N.

N = The total number of regulated streams.



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T = The average daily flow (at least a 30-day average) through the combined pretreatment facility (includes Fi, D and unregulated streams).

D = The average daily flow (at least a 30-day average) from:

A) Boiler blowdown streams, non-contact cooling streams, stormwater streams and demineralizer backwash streams, subject to the proviso of subsection (d); and

B) Sanitary wastestreams where such wastestreams are not regulated by a categorical pretreatment standard; and,

C) From any process wastestreams which were or could have been entirely exempted from categorical pretreatment standards as specified in subsection (e).

2) Alternative mass limit.

$$M = (T-D) \text{SUM}(M_i) / \text{SUM}(F_i)$$

where

M = The alternative mass limit for a pollutant in the combined wastestream.

M<sub>i</sub> = The categorical pretreatment standard mass limit for a pollutant in the regulated stream i (the categorical pretreatment mass limit multiplied by the appropriate measure of production).

F<sub>i</sub> = The average daily flow (at least a 30-day average) of stream i to the extent that it is regulated for such pollutant.

"SUM(G<sub>i</sub>)" means the sum of the results of calculation G for streams i = 1 to i = N.

N = The total number of regulated streams.

T = The average daily flow (at least a 30-day average) through the combined pretreatment facility (includes Fi, D and unregulated streams).

D = The average daily flow (at least a 30-day average) from:

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A) Boiler blowdown streams, non-contact cooling streams, stormwater streams and demineralizer backwash streams subject to the proviso of subsection (d); and

B) Sanitary wastestreams where such wastestreams are not regulated by a categorical pretreatment standard; and,

C) From any process wastestreams which were or could have been entirely exempted from categorical pretreatment standards as specified in subsection (e).

b) Alternative limits below detection. An alternative pretreatment limit shall not be used if the alternative limit is below the analytical detection limit for any of the regulated pollutants.

c) Self-monitoring. Self-monitoring required to insure compliance with the alternative categorical limit shall be as follows:

1) The type and frequency of sampling, analysis and flow measurement shall be determined by reference to the self-monitoring requirements of the appropriate categorical pretreatment standards.

2) Where the self-monitoring schedules for the appropriate standards differ, monitoring shall be done according to the most frequent schedule.

3) Where flow determines the frequency of self-monitoring in a categorical pretreatment standard, the sum of all regulated flows (F<sub>i</sub>) is the flow which shall be used to determine self-monitoring frequency.

d) Proviso to subsections (a)(1) and (a)(2). Where boiler blowdown, non-contact cooling streams, stormwater streams and demineralizer backwash streams contain a significant amount of a pollutant and the combination of such streams, prior to pretreatment, with the industrial user's regulated process wastestreams will result in a substantial reduction of that pollutant, the control authority, upon application of the industrial user, shall determine whether such wastestreams should be classified as diluted or unregulated. In its application to the control authority, the industrial user shall provide engineering, production, sampling and analysis and such other information so the control authority can make its determination.

e) Exemptions from categorical pretreatment standards. Process wastestreams were or could have been entirely exempted from categorical pretreatment standards pursuant to paragraph 8 of the NRDC v. Costle consent decree, incorporated by reference in



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Section 310.107, for one or more of the following reasons (see 40 CFR 403, Appendix D, incorporated by reference in Section 310.107.):

- 1) The pollutants of concern are not detectable in the discharge from the industrial user;
- 2) The pollutants of concern are present only in trace amounts and are neither causing nor are likely to cause toxic effects;
- 3) The pollutants of concern are present in amounts too small to be effectively reduced by technologies known to USEPA;
- 4) The wastestream contains only pollutants which are compatible with the POTW.

- f) Where a treated regulated process wastestream is combined prior to treatment with wastewaters other than those generated by the regulated process, the industrial user may monitor either the segregated process wastestream or the combined wastestream for the purpose of determining compliance with applicable pretreatment standards. If the industrial user chooses to monitor the segregated process wastestream, it shall apply the applicable categorical pretreatment standard. If the user chooses to monitor the combined wastestream, it shall apply an alternative discharge limit calculated using the combined wastestream formula as provided in this Section. The industrial user may change monitoring points only after receiving approval from the control authority. The control authority shall ensure that any change in an industrial user's monitoring point or points will not allow the user to substitute dilution for adequate treatment to achieve compliance with applicable standards.

BOARD NOTE: Derived from 40 CFR 403.6(e)(1988g), as amended at 53 Fed. Reg. 40611, October 17, 1988.

(Source: Amended at 15 Ill. Reg. , effective )

## SUBPART C: REMOVAL CREDITS

## Section 310.330 Exception to POTW Pretreatment Requirement

A POTW required to develop a local pretreatment program under Subpart D may grant removal credits conditionally pending approval of such a program in accordance with the following terms and conditions:

- a) All industrial users who are currently subject to a categorical

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pretreatment standard and who wish to receive conditionally a removal credit shall submit to the POTW the information required by Section 310.602(a)-(g) (except new or modified industrial users must only submit the information required by Section 310.602(a)-(f)), pertaining to the categorical pretreatment standard as modified by the removal credit. The industrial users shall indicate what additional technology, if any, will be needed to comply with the categorical pretreatment standard as modified by the removal credit;

- b) The POTW must have submitted to the Agency an application for pretreatment program approval meeting the requirements of Subpart D in a timely manner, not to exceed the time limitations set forth in a compliance schedule for development of a pretreatment program included in the POTW's NPDES permit.

- c) The POTW shall:

- 1) Compile and submit data demonstrating its consistent removal;
- 2) Comply with the conditions specified in Section 310.303; and
- 3) Submit a complete application for removal credit authority in accordance with Section 310.340.

- d) If a POTW receives authority to grant conditional removal credits and the Agency subsequently makes a final determination, after appropriate notice, that the POTW failed to comply with the conditions in subsections (b) and (c), the Agency shall terminate the authority to grant conditional removal credits and all industrial users to whom the revised discharge limits had been applied shall achieve compliance with the applicable categorical pretreatment standards within a reasonable time, not to exceed the period of time prescribed in the applicable categorical pretreatment standard.

- e) If a POTW grants conditional removal credits and the POTW or the Agency subsequently makes a final determination, after appropriate notice, that the industrial user failed to comply with the conditions in subsection (a), the POTW or Agency shall terminate the conditional credit for the non-complying industrial user and the industrial user to whom the revised discharge limits had been applied shall achieve compliance with the applicable categorical pretreatment standard within a reasonable time, not to exceed the period of time prescribed in the applicable categorical pretreatment standard. The conditional credit shall not be terminated where a violation of the provisions of this Section results from causes entirely outside of the control of the



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industrial user or the industrial user has demonstrated substantial compliance.

- f) The Agency may elect not to review an application for conditional removal credit authority upon receipt of such application, in which case the conditionally revised discharge limits remain in effect until reviewed by the Agency. This review may occur at any time in accordance with the procedures of Section 310.541 through Section 310.547, but in any event no later than the time of any pretreatment program approval or any NPDES permit reissuance.

~~(Board Note)~~ BOARD NOTE: Derived from 40 CFR 403.7(d) (198690)7.

## SUBPART E: POTW PRETREATMENT PROGRAMS

Section 310.510 Pretreatment Program Requirements: Development and Implementation by POTW

A POTW pretreatment program shall meet be based on the following requirements: legal authority and include the following procedures, and these authorities and procedures shall at all times be fully and effectively exercised and implemented:

- a) Legal authority. The POTW shall operate pursuant to legal authority enforceable in federal, state or local courts, which authorizes or enables the POTW to apply and to enforce the requirements of this Part and 35 Ill. Adm. Code 307. Such authority may be contained in a statute, ordinance or series of joint powers agreements which the POTW is authorized to enact, enter into or implement, and which are authorized by State law. At a minimum, this legal authority shall enable the POTW to:
  - 1) Deny or condition new or increased contributions of pollutants or changes in the nature of pollutants, to the POTW by industrial users where such contributions do not meet applicable pretreatment standards and requirements or where such contributions would cause the POTW to violate its NPDES permit;
  - 2) Require compliance with applicable pretreatment standards and requirements by industrial users;
  - 3) Control, through ordinance, permit order or similar means, the contribution to the POTW by each industrial user to ensure compliance with applicable pretreatment standards and requirements, and in the case of each significant industrial user, as defined at 35 Ill. Adm. Code 310.110, this control shall be achieved through permits or equivalent individual

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control mechanisms issued to each such user; such control mechanisms must be enforceable and contain, at a minimum, the following conditions:

- A) A statement of duration (in no case more than five years);
- B) A statement of non-transferability without, at a minimum, prior notification to the POTW and provision of a copy of the existing control mechanism to the new owner or operator;
- C) Effluent limits based on applicable general pretreatment standards in this Part and 35 Ill. Adm. Code 307, categorical pretreatment standards, local limits, and local law;
- D) Self-monitoring, sampling, reporting, notification and recordkeeping requirements, including an identification of the pollutants to be monitored, sampling location, sampling frequency, and sample type, based on the applicable general pretreatment standards of this Part 403 and 35 Ill. Adm. Code 307, categorical pretreatment standards, local limits, and local law; and
- E) A statement of applicable civil and criminal penalties for violation of pretreatment standards and requirements, and any applicable compliance schedule; however, such schedules may not extend the compliance date beyond applicable federal deadlines;

## 4) Require:

- A) The development of a compliance schedule by each industrial user for the installation of technology required to meet applicable pretreatment standards and requirements; and
- B) The submission of all notices and self-monitoring reports from industrial users as are necessary to assess and assure compliance by industrial users with pretreatment standards and requirements, including, but not limited, to the reports required in Subpart F;
- 5) Carry out all inspection, surveillance and monitoring procedures necessary to determine, independent of information supplied by industrial users, compliance or noncompliance with applicable pretreatment standards and



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requirements by industrial users. Representatives of the POTW shall be authorized to enter any premises of any industrial user in which a discharge source or treatment system is located or in which records are required to be kept under Section 310.634 to assure compliance with pretreatment standards. Such authority shall be at least as extensive as the authority provided under Section 308 of the CWA;

- 6) Obtain remedies for noncompliance by any industrial user with any pretreatment standard or requirement-;

A) All POTW's shall be able to seek injunctive relief for noncompliance by industrial users with pretreatment standards or requirements. All POTW's shall also have authority to seek or assess civil or criminal penalties in at least the amount of \$1000 a day for each violation by industrial users of pretreatment standards and requirements. POTW's whose approved pretreatment programs require modification to conform to the requirements of this subsection shall submit a request by November 16, 1989-;

B) Pretreatment requirements which will be enforced through the remedies set forth in subsection (a)(6)(A) will include but not be limited to: the duty to allow or carry out inspections, entry or monitoring activities; any rules, regulations or orders issued by the POTW; any requirements set forth in individual control mechanisms issued by the POTW; or any reporting requirements imposed by the POTW, this Part or 35 Ill. Adm. Code 307. The POTW shall have authority and procedures (after notice to the industrial user) immediately and effectively to halt or prevent any discharge of pollutants to the POTW which reasonably appears to present an imminent endangerment to the health or welfare of persons. The POTW shall also have authority and procedures (which shall include notice to the affected industrial users and an opportunity to respond) to halt or prevent any discharge to the POTW which presents or may present an endangerment to the environment or which threatens to interfere with the operation of the POTW. The Agency shall have authority to seek judicial relief for noncompliance by industrial users when the POTW has acted to seek such relief but has sought a monetary penalty which the Agency finds to be insufficient. The procedures for notice to industrial users where the POTW is seeking ex parte temporary judicial

~~injunctive relief will be governed by applicable state or federal law and not by this provision; and~~

- 7) Comply with the confidentiality requirements set forth in Section 310.105;
- b) Procedures. The POTW shall develop and implement procedures to ensure compliance with the requirements of a pretreatment program. At a minimum, these procedures shall enable the POTW to:
- 1) Identify and locate all possible industrial users which might be subject to the POTW pretreatment program. Any compilation, index or inventory of industrial users made under this subsection shall be made available to the Agency upon request-;
  - 2) Identify the character and volume of pollutants contributed to the POTW by the industrial users identified under subsection (b)(1). This information shall be made available to the Agency upon request-;
  - 3) Notify industrial users identified under subsection (b)(1) of applicable pretreatment standards and any applicable requirements under Section 204(b) and 405 of the CWA and Subtitles C and D of the Resource Conservation and Recovery Act, incorporated by reference in Section 310.107. Within 30 days of approval, pursuant to subsection (f), of a list of significant industrial users, notify each significant industrial user of its status as such and of all requirements applicable to it as a result of such status;
  - 4) Receive and analyze self-monitoring reports and other notices submitted by industrial users in accordance with the self-monitoring requirements in Subpart D;
  - 5) Randomly sample and analyze the effluent from industrial users and conduct surveillance and inspection activities in order to identify, independent of information supplied by industrial users, occasional and continuing noncompliance with pretreatment standards. Inspect and sample the effluent from each significant industrial user at least once a year. Evaluate, at least once every two years, whether each such significant industrial user needs a plan to control slug discharges. For purposes of this subsection, a slug discharge is any discharge of a non-routine, episodic nature, including but not limited to an accidental spill or a non-customary batch discharge. The results of these activities shall be made available to the Agency upon request-. If the POTW decides that a slug control plan is



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needed, the plan shall contain, at a minimum, the following elements:

- A) A description of discharge practices, including non-routine batch discharges;
- B) A description of stored chemicals;
- C) Procedures for immediately notifying the POTW of slug discharges, including any discharge that would violate a prohibition under Section 310.202 and 35 Ill. Adm. Code 307. Subpart B, with procedures for follow-up written notification within five days; and
- D) If necessary, procedures to prevent adverse impact from accidental spills, including inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant site run-off, worker training, building of containment structure or equipment, measures for containing toxic organic pollutants (including solvents) and measures and equipment for emergency response;

6) Investigate instances of noncompliance with pretreatment standards and requirements, as indicated in the reports and notices required under Subpart D or as indicated by analysis, inspection and surveillance activities described in subsection (b)(5). Sample taking and analysis, and the collection of other information, shall be performed with sufficient care to produce evidence admissible in enforcement proceedings or in judicial actions; and

7) Comply with the public participation requirements of 40 CFR 25, incorporated by reference in Section 310.107, in the enforcement of pretreatment standards. These procedures shall include provision for providing, at least annually, public notification, in a newspaper of general circulation in the unit of local government in which the POTW is located, of industrial users which, during the previous 12 months, were in significant violation of noncompliance with applicable pretreatment standards or other pretreatment requirements. For the purposes of this provision, a significant violation is a violation which remains uncorrected 45 days after notification of noncompliance which is part of a pattern of noncompliance over a twelve month period which involves a failure to accurately report noncompliance or which resulted in the POTW exercising its emergency authority under subsection (a)(6)(B) or an

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industrial user is in significant noncompliance if its violation meets one or more of the following criteria:

- A) Chronic violations of wastewater discharge limits, defined here as those in which sixty-six percent or more of all of the measurements taken during a six-month period exceed (by any magnitude) the daily maximum limit or the average limit for the same pollutant parameter;
- B) "Technical review criteria" (TRC) violations, which shall mean those violations in which thirty-three percent or more of all of the measurements for each pollutant parameter taken during a six-month period equal or exceed the product of the daily maximum limit or the average limit multiplied by the applicable TRC (TRC = 1.4 for BOD, TSS, fats, oil, and grease, and 1.2 for all other pollutants except pH);
- C) Any other violation of a pretreatment effluent limit (daily maximum or longer-term average) that the Control Authority determines has caused, alone or in combination with other discharges, interference or pass through (including endangering the health of POTW personnel or the general public);
- D) Any discharge of a pollutant that has caused imminent endangerment to human health, welfare or to the environment or has resulted in the POTW's exercise of its emergency authority under subsection (a)(6)(B) to halt or prevent such a discharge;
- E) Failure to meet, within 90 days after the schedule date, a compliance schedule milestone contained in a local control mechanism or enforcement order for starting construction, completing construction, or attaining final compliance;
- F) Failure to provide, within 30 days after the due date, required reports, such as baseline monitoring reports, 90-day compliance reports, periodic self-monitoring reports, and reports on compliance with compliance schedules;
- G) Failure to accurately report noncompliance; or
- H) Any other violation or group of violations which the Agency determines will adversely affect the operation or implementation of the local pretreatment program;



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- c) The POTW shall have sufficient resources and qualified personnel to carry the authorities and procedures described in subsections (a) and (b).<sup>2</sup>
- d) Local limits. The POTW shall develop local limits as required in Section 310.210 or demonstrate that they are not necessary.<sup>2</sup>
- e) The POTW shall develop and implement an enforcement response plan. This plan shall contain detailed procedures indicating how a POTW will investigate and respond to instances of industrial user noncompliance. The plan shall, at a minimum:

- 1) Describe how the POTW will investigate instances of noncompliance;
- 2) Describe the types of escalating enforcement responses the POTW will take in response to all anticipated types of industrial user violations and the time periods within which responses will take place;
- 3) Identify (by title) the officials responsible for each type of response; and
- 4) Adequately reflect the POTW's primary responsibility to enforce all applicable pretreatment requirements and standards, as detailed in subsections (a) and (b); and

- f) The POTW shall prepare a list of its industrial users meeting the criteria in the first subsection of the definition of "significant industrial user" at Section 310.110. The list shall identify the criteria in the first subsection of the definition of "significant industrial user" at Section 310.110 applicable to each industrial user and, for industrial users meeting the criteria in the second subsection of that definition, shall also indicate whether the POTW has made a determination pursuant to the caveat in the second subsection of that definition that such industrial user should not be considered a significant industrial user. This list, and any subsequent modifications thereto, shall be submitted to the Agency as a program modification pursuant to Subpart K. Discretionary designations or de-designations by the control authority shall be deemed to be approved by the Agency 90 days after submission of the list or modifications thereto.

BOARD NOTE: See Derived from 40 CFR 403.8(f) (198820), as amended at 535 Fed. Reg. 4061230129, October 17, 1988 July 24, 1990.

(Source: Amended at 15 Ill. Reg. , effective )

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## SUBPART F: REPORTING REQUIREMENTS

## Section 310.611 Requirements for Non-Categorical Users

The control authority shall require appropriate reporting from those industrial users with discharges that are not subject to categorical pretreatment standards. Significant noncategorical industrial users shall submit to the control authority at least once every six months (on dates specified by the control authority) a description of the nature, concentration, and flow of the pollutants required to be reported by the control authority. These reports shall be based on sampling and analysis performed in the period covered by the report, and performed in accordance with the techniques described in 40 CFR part 136, incorporated by reference at Section 310.107. Where 40 CFR part 136 does not contain sampling or analytical techniques for the pollutant in question, or where the Agency determines that the 40 CFR 136 sampling and analytical techniques are inappropriate for the pollutant in question, sampling and analysis shall be performed by using validated analytical methods or any other applicable sampling and analytical procedures, including procedures suggested by the POTW or other persons, approved by control authority in lieu of the significant noncategorical industrial user. Where the POTW itself collects all the information required for the report, the noncategorical significant industrial user will not be required to submit the report. For the purposes of this Section, "significant noncategorical industrial user" means a significant industrial user that is not subject to categorical pretreatment standards.

BOARD NOTE: Derived from 40 CFR 403.12(h) (1990), as amended at 535 Fed. Reg. 4061430131, October 17, 1988 July 24, 1990.

(Source: Amended at 15 Ill. Reg. , effective )

## Section 310.613 Notification of Changed Discharge

All industrial users shall promptly notify the POTW in advance of any substantial change in the volume or character of pollutants in their discharge, including the listed or characteristic hazardous wastes for which the industrial user has submitted initial notification under Section 310.635.

BOARD NOTE: Derived from 40 CFR 403.12(j) (1990), as amended at 535 Fed. Reg. 4061430131, October 17, 1988 July 24, 1990.

(Source: Amended at 15 Ill. Reg. , effective )

## Section 310.633 Fraud and False Statements

The reports required by Sections 310.602, 310.604, 310.605, 310.611, 310.612 and 310.621 this Subpart are subject to the provisions of Section 1001 of Crimes and Criminal Procedure (18 U.S.C. 1001), incorporated by reference in



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Section 310.107, relating to fraud and false statements; and the provisions of Section 309(c)(24) of the CWA governing false statements, representations or certifications in reports required under the CWA; the provisions of section 309(c)(6) of the CWA regarding responsible corporate officers; and to the provisions of Title XII of the Act.

BOARD NOTE: Derived from 40 CFR 403.12(k) (1988), redesignated 40 CFR 403.12(n) (1990), as amended by 535 Fed. Reg. 4064430131, October 17, 1988, July 24, 1990.

(Source: Amended at 15 Ill. Reg. , effective )

## Section 310.635 Notification of Discharge of Hazardous Waste

## a) Requirement for notification.

- 1) The industrial user shall notify the POTW; the Director, Waste Management Division, USEPA Region V, 230 South Dearborn Street, Chicago, Illinois 60604; and the Manager, Division of Water Pollution Control, Illinois Environmental Protection Agency, 2200 Churchill Road, P.O. Box 19276, Springfield, Illinois 62794-9276, in writing of any discharge into the POTW of a substance, which, if otherwise disposed of, would be a hazardous waste under 35 Ill. Adm. Code 721. Such notification must include the name of the hazardous waste as set forth in 35 Ill. Adm. Code 721, the EPA hazardous waste number, and the type of discharge (continuous, batch, or other). If the industrial user discharges more than 100 kilograms of such waste per calendar month to the POTW, the notification shall also contain the following information, to the extent such information is known and readily available to the Industrial User:

## A) An identification of the hazardous constituents

contained in the wastes.

## B) An estimation of the mass and concentration of such constituents in the wastestream discharged during that calendar month, and

## C) An estimation of the mass of constituents in the wastestream expected to be discharged during the following twelve months.

- 2) Time for notification. All notifications required under subsection (a)(1) must take place within 180 days of the effective date of this rule. Industrial users who commence discharging after the effective date of this rule shall

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provide the notification no later than 180 days after the discharge of the listed or characteristic hazardous waste.

- 3) Frequency for notification. Any notification required under subsection (a)(1) need be submitted only once for each hazardous waste discharged. However, notifications of changed discharges must be submitted under Section 310.613.
- 4) Exception for notification under other provisions. The notification requirement of subsection (a)(1) does not apply to pollutants already reported under the self-monitoring requirements of Sections 310.602, 310.604 and 310.605.

- b) Exemption to reporting requirement. Discharges are exempt from the requirements of subsection (a)(1) during a calendar month in which they discharge no more than fifteen kilograms of hazardous wastes, unless the wastes are acute hazardous wastes specified in 35 Ill. Adm. Code 721.130(d) and 721.133(e). Discharge of more than fifteen kilograms of non-acute hazardous wastes in a calendar month, or of any quantity of acute hazardous wastes as specified in 35 Ill. Adm. Code 721.130(d) and 721.133(e), requires a one-time notification. Subsequent months during which the Industrial User discharges more than such quantities of any hazardous waste do not require additional notification.

- c) Newly-listed hazardous wastes. In the case of any new regulations under section 3001 of the RCRA identifying additional characteristics of hazardous waste or listing any additional substance as a hazardous waste, the industrial user must notify the POTW; USEPA Region V, Waste Management Division; and the Agency, Division of Water Pollution Control of the discharge of such substance, pursuant to subsection (a)(1), within 90 days of the effective date of such regulations.

- d) Required certification. In the case of any notification made under this section, the industrial user shall certify that it has a program in place to reduce the volume and toxicity of hazardous wastes generated to the degree it has determined to be economically practical.

BOARD NOTE: Derived from 40 CFR 403.12(p), as added at 55 Fed. Reg. 30131, July 24, 1990.

(Source: Added at 15 Ill. Reg. , effective )



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1) Heading of the Part: SEWER DISCHARGE CRITERIA2) Code Citation: 35 Ill. Adm. Code 3073) Section Numbers: Proposed Action:

307.1101 Amendment  
 307.2400 Amendment  
 307.2401 Amendment  
 307.2402 Amendment  
 307.2403 Amendment  
 307.2404 Amendment  
 307.2405 Amendment  
 307.2406 Amendment  
 307.2407 Amendment  
 307.2490 Amendment  
 307.3100 Amendment  
 307.3109 Amendment  
 307.3115 Amendment  
 307.3119 Amendment  
 307.3120 Amendment  
 307.3124 Amendment  
 307.3129 Amendment

4) Statutory Authority: Ill. Rev. Stat. 1987, ch. 111½, pars. 1013, 1013.3 and 1027.5) A Complete Description of the Subjects and Issues Involved:

A complete description is contained in the Board's Opinion of November 21, 1991 in R91-5, which Opinion is available from the address below. Section 13.3 of the Environmental Protection Act (Ill. Rev. Stat. 1987, ch. 111½, par. 1013.3) provides that Section 5 of the Administrative Procedure Act shall not apply. Because this rulemaking is not subject to Section 5 of the APA, it is not subject to first notice or to second notice review by JCAR.

This rulemaking updates the Board's wastewater pretreatment rules to correspond with amendments adopted by USEPA which appeared in the Federal Register during the period June 29, 1990 through December 31, 1990. This rulemaking accompanies two other segments of R91-5 that propose amendments to 35 Ill. Adm. Code 309 and 310.

Subpart B: General and Specific Pretreatment Requirements

Section 307.1101

35 Ill. Adm. Code 307.1101 derives from 40 CFR 403.5. USEPA amended

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paragraph (b) at 55 Fed. Reg. 30129, July 24, 1990. The federal amendment of 40 CFR 403.5(b)(1) (corresponding to subsection (b)(1)) at 55 Fed. Reg. 30129, July 24, 1990, is intended to add specificity to the prohibition against discharge of materials that can cause a fire or explosion hazard. It now specifies a flashpoint limit and a test method for the discharges. New federal paragraph (6) (corresponding with proposed subsection (b)(11)) adds a prohibition against discharging oils into a sewer of types and in quantities that could cause treatment plant upset or pass through. New federal paragraph (7) (corresponding with proposed subsection (b)(12)) adds a prohibition against discharging pollutants into a sewer that could cause toxic gases, vapors and fumes at the treatment plant in a quantity which could endanger worker health and safety. New federal paragraph (8) (corresponding with proposed subsection (b)(13)) adds a prohibition against discharging into a sewer system at any point except a point designated by the POTW.

The Board also proposes a small number of non-substantive amendments to Section 307.1101. Initially, we change the punctuation of both subsections by adding colons after the lettered subsection headings and semicolons (and the word "or," where appropriate) after each numbered subsection. The Board also proposes adding a note to this Section that would indicate the source of this subsection.

Subpart O: Organic Chemicals, Plastics and Synthetic Fibers

On June 29, 1990, at 55 Fed. Reg. 26692, USEPA amended a number of sections in 40 CFR 414 (the Organic Chemicals, Plastics and Synthetic Fibers Category) in response to a federal judicial remand in Chemical Manufacturers Association v. EPA, 870 F.2d 177 (5th Cir. 1989). USEPA withdrew the limitations subject to the remand. 13 pollutants were deleted from 40 CFR 414.25, 414.35, 414.45, 414.55, 414.65, 414.75, and 414.85: acenaphthene, 2,4-dimethylphenol, fluoranthene, naphthalene, phenol, bis-(2-ethylhexyl)phthalate, di-N-butylphthalate, diethylphthalate, dimethylphthalate, anthracene, fluorene, phenanthrene, and pyrene. 19 pollutants were removed from 40 CFR 414.101: acenaphthene, 2,4-dimethylphenol, fluoranthene, naphthalene, phenol, bis-(2-ethylhexyl)phthalate, di-N-butylphthalate, diethylphthalate, dimethylphthalate, benzo(a)anthracene, benzo(a)pyrene, 3,4-benzofluoranthrene, benzo(k)fluoranthene, chrysene, anthracene, fluorene, phenanthrene, and pyrene. USEPA also deleted the "tetraethyl lead/alkyl halide + sodium-lead alloy" and "tetramethyl lead/alkyl halide + sodium-lead alloy" entries from 40 CFR, appendix A table under the heading "lead."

Section 307.2400

The Board uses this opportunity to correct a minor, non-substantive typographical error at 35 Ill. Adm. Code 307.2400(b)(3): the Board proposes changing "nothwithstanding" to "notwithstanding."



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Section 307.2401

35 Ill. Adm. Code 307.2401 derives from 40 CFR 414.25. The Illinois provision incorporates the corresponding federal limitations by reference. For this reason, the Board proposes updating the incorporations by reference at the appropriate places to include the revisions as embodied in the 1990 edition of the Code of Federal Regulations. This volume includes the June 29, 1990 federal amendments. The Board updates the references at 35 Ill. Adm. Code 307.2401(c)(1) & (d)(1) to correspond to the June 29, 1990 federal amendments.

Section 307.2402

35 Ill. Adm. Code 307.2402 derives from 40 CFR 414.35. The Illinois provision incorporates the corresponding federal limitations by reference. For this reason, the Board proposes updating the incorporations by reference at the appropriate places to include the revisions as embodied in the 1990 edition of the Code of Federal Regulations. This volume includes the June 29, 1990 federal amendments. The Board updates the references at 35 Ill. Adm. Code 307.2402(c)(1) & (d)(1) to correspond to the June 29, 1990 federal amendments.

Section 307.2403

35 Ill. Adm. Code 307.2403 derives from 40 CFR 414.45. The Illinois provision incorporates the corresponding federal limitations by reference. For this reason, the Board proposes updating the incorporations by reference at the appropriate places to include the revisions as embodied in the 1990 edition of the Code of Federal Regulations. This volume includes the June 29, 1990 federal amendments. The Board updates the references at 35 Ill. Adm. Code 307.2403(c)(1) & (d)(1) to correspond to the June 29, 1990 federal amendments.

Section 307.2404

35 Ill. Adm. Code 307.2404 derives from 40 CFR 414.55. The Illinois provision incorporates the corresponding federal limitations by reference. For this reason, the Board proposes updating the incorporations by reference at the appropriate places to include the revisions as embodied in the 1990 edition of the Code of Federal Regulations. This volume includes the June 29, 1990 federal amendments. The Board updates the references at 35 Ill. Adm. Code 307.2404(c)(1) & (d)(1) to correspond to the June 29, 1990 federal amendments.

Section 307.2405

35 Ill. Adm. Code 307.2405 derives from 40 CFR 414.65. The Illinois

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provision incorporates the corresponding federal limitations by reference. For this reason, the Board proposes updating the incorporations by reference at the appropriate places to include the revisions as embodied in the 1990 edition of the Code of Federal Regulations. This volume includes the June 29, 1990 federal amendments. The Board updates the references at 35 Ill. Adm. Code 307.2405(c)(1) & (d)(1) to correspond to the June 29, 1990 federal amendments.

Section 307.2406

35 Ill. Adm. Code 307.2406 derives from 40 CFR 414.75. The Illinois provision incorporates the corresponding federal limitations by reference. For this reason, the Board proposes updating the incorporations by reference at the appropriate places to include the revisions as embodied in the 1990 edition of the Code of Federal Regulations. This volume includes the June 29, 1990 federal amendments. The Board updates the references at 35 Ill. Adm. Code 307.2406(c)(1) & (d)(1) to correspond to the June 29, 1990 federal amendments.

Section 307.2407

35 Ill. Adm. Code 307.2407 derives from 40 CFR 414.85. The Illinois provision incorporates the corresponding federal limitations by reference. For this reason, the Board proposes updating the incorporations by reference at the appropriate places to include the revisions as embodied in the 1990 edition of the Code of Federal Regulations. This volume includes the June 29, 1990 federal amendments. The Board updates the references at 35 Ill. Adm. Code 307.2407(c)(1) & (d)(1) to correspond to the June 29, 1990 federal amendments.

Section 307.2490

35 Ill. Adm. Code 307.2490 derives from 40 CFR 414, App. A. The Illinois provision incorporates the corresponding federal limitations by reference. For this reason, the Board proposes updating the incorporations by reference at the appropriate place to include the revisions as embodied in the 1990 edition of the Code of Federal Regulations. This volume includes the June 29, 1990 federal amendments. The Board updates the reference at 35 Ill. Adm. Code 307.2490 to correspond to the June 29, 1990 federal amendments.

Subpart V: Nonferrous Metal Manufacturing

At 55 Fed. Reg. 31692, August 3, 1990, USEPA amended the pretreatment requirements at 40 CFR 421, the Nonferrous Metals Manufacturing category. This included amendments to the Metallurgical Acid Plants (subpart I), Primary Beryllium (Subpart O), Primary Molybdenum (Subpart S), Secondary Molybdenum and Vanadium (subpart T), Secondary Precious



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Metals (Subpart X), and Secondary Tungsten and Cobalt (subpart AC) subcategories. USEPA promulgated these amendments as a result of settlement negotiations arising from several judicial challenges to its rules originally adopted in 1984 and 1985. Primarily, the amendments change limitations based on revised estimates of treatment removal effectiveness for various pollutants. They also correct certain assumptions as to manufacturing production, revise effective dates, and effect some clarifications. USEPA published corrections to some of these amendments at 55 Fed. Reg. 36932, September 7, 1990.

Section 307.3100

35 Ill. Adm. Code 307.3100 derives from 40 CFR 421.1 through 421.5. Existing subsection (c) incorporates 40 CFR 421.3 by reference, and subsection (d) incorporates 40 CFR 421.4. USEPA amended section 421.3 at 55 Fed. Reg. 31697. New paragraph 421.3(b) waives the routine cyanide testing requirement for certain facilities in the Primary Beryllium subcategory under certain limited circumstances: an annual test for cyanide must indicate less than 0.07 mg/l cyanide, and the facility must certify that it does not generate or use cyanide. The Board updates the reference at 35 Ill. Adm. Code 307.3100(c) to correspond to the August 3, 1990 federal amendment.

In addition to the amendment in response to this federal amendment, the Board effects two minor, non-substantive amendments to Section 307.3100. First, there is no subsection (b). Rather, the subsections run (a), (c), (d), then (e). This corresponds to the federal source material (i.e., Section 307.3100(a) derived from 40 CFR 421.1, Section 307.3100(c) derived from 40 CFR 421.3, etc.; 40 CFR 421.2 is reserved). For this reason, the Board proposes adding dummy language in a new subsection (b), in order that subsections (c), (d), and (e) continue to correspond numerically with their federal counterparts. Second, the Board uses this opportunity to routinely change the date of the incorporation by reference at existing subsection (d) to the 1990 edition of the Code of Federal Regulations.

Section 307.3109

35 Ill. Adm. Code 307.3109 derives from 40 CFR 421.91 through 421.96 (40 CFR Subpart I). Existing subsection (b) incorporates 40 CFR 421.91 by reference, subsection (c)(1) incorporates 40 CFR 421.95, and subsection (d)(1) incorporates 40 CFR 421.96. USEPA amended section 421.96 at 55 Fed. Reg. 31697. The effect of this amendment is to remove molybdenum as a limited pollutant. The Board updates the incorporation by reference at subsection (d)(1) to reflect this federal amendment. As a routine, non-substantive matter, the Board further updates the incorporation by reference at subsections (b) and (c)(1) to reflect the more recent edition of the Code of Federal Regulations.

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Section 307.3115

35 Ill. Adm. Code 307.3115 derives from 40 CFR 421.150 through 421.156 (40 CFR Subpart O). Existing subsection (b) incorporates 40 CFR 421.151 by reference, and subsection (d)(1) incorporates 40 CFR 421.156. USEPA amended section 421.156 at 55 Fed. Reg. 31700. The effect of these amendments is to increase the limitation for fluoride discharges for beryllium hydroxide supernatant and to add beryllium, total chromium, copper, total cyanide, ammonia-nitrogen, and fluoride limitations for certain equipment and activities. These equipment and activities include beryl ore gangue dewatering, bertrandite ore gangue dewatering, beryl ore processing, aluminum iron sludge area wastewater, bertrandite ore leaching scrubber, and bertrandite ore countercurrent and decantation scrubber. The Board updates the incorporation by reference at subsection (d)(1) to reflect this federal amendment. As a routine, non-substantive matter, the Board further updates the incorporation by reference at subsection (b) to reflect the more recent edition of the Code of Federal Regulations.

Section 307.3119

35 Ill. Adm. Code 307.3119 derives from 40 CFR 421.210 through 421.216 (40 CFR Subpart S). Existing subsection (b) incorporates 40 CFR 421.211 by reference, and subsection (d)(1) incorporates 40 CFR 421.216. USEPA amended section 421.216 at 55 Fed. Reg. 31702. The effect of these amendments is to remove molybdenum as a limited pollutant for certain equipment and activities. These equipment and activities are molybdenum sulfide leachate, roaster SO<sub>2</sub> scrubber and molybdenic oxide leachate. The Board updates the incorporation by reference at subsection (d)(1) to reflect this federal amendment. As a routine, non-substantive matter, the Board further updates the incorporation by reference at subsection (b) to reflect the more recent edition of the Code of Federal Regulations.

Section 307.3120

35 Ill. Adm. Code 307.3120 derives from 40 CFR 421.220 through 421.226 (40 CFR Subpart T). Existing subsection (b) incorporates 40 CFR 421.221 by reference, and subsection (d)(1) incorporates 40 CFR 421.226. USEPA amended section 421.226 at 55 Fed. Reg. 31705. The effect of these amendments is to remove molybdenum as a limited pollutant and to change the limitations for arsenic, chromium, lead, nickel, iron, molybdenum, and ammonia-nitrogen for certain equipment and activities. Those equipment and activities are leach tailings and molybdenum filtrate solvent extraction raffinate. The amendments also add limitations for those pollutants for pure grade molybdenum. The Board updates the incorporation by reference at subsections (d)(1) to reflect these



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federal amendments. As a routine, non-substantive matter, the Board further updates the incorporation by reference at subsection (b) to reflect the more recent edition of the Code of Federal Regulations.

Section 307.3124

35 Ill. Adm. Code 307.3124 derives from 40 CFR 421.260 through 421.266 (40 CFR Subpart X). Existing subsection (b) incorporates 40 CFR 421.261 by reference, subsection (c)(1) incorporates 40 CFR 421.265, and subsection (d)(1) incorporates 40 CFR 421.266. USEPA amended sections 421.261, 421.265, and 421.266 beginning at 55 Fed. Reg. 31705. The effect of these amendments is to add a new paragraph defining "combined metals" as the total of gold, platinum, and palladium and to replace individual limitations for these metals with limitations for "combined metals." The Board updates the incorporation by reference at subsections (b), (c)(1), and (d)(1) to reflect these federal amendments.

Section 307.3129

35 Ill. Adm. Code 307.3129 derives from 40 CFR 421.310 through 421.316 (40 CFR Subpart AC). Existing subsection (b) incorporates 40 CFR 421.311 by reference, subsection (c)(1) incorporates 40 CFR 421.315, and subsection (d)(1) incorporates 40 CFR 421.316. USEPA amended sections 421.315 and 421.316 beginning at 55 Fed. Reg. 31716. The effect of these amendments is to revise all limitations for cobalt in this subcategory. The Board updates the incorporation by reference at subsections (c)(1) and (d)(1) to reflect these federal amendments. As a routine, non-substantive matter, the Board further updates the incorporation by reference at subsection (b) to reflect the more recent edition of the Code of Federal Regulations.

6) Will these proposed amendments replace emergency amendment currently in effect? No.

7) Does this rulemaking contain an automatic repeal date? No.

8) Does these proposed amendments contain incorporations by reference?

Yes. Many incorporations by reference appear throughout the text of the proposed amendments. These incorporated materials are federal regulations. Major portions of this rulemaking update the version of the Code of Federal Regulations incorporated. Where the most recent version of the federal regulations has not yet appeared in the Code of Federal Regulations, the reference is to the Federal Register citation for that provision.

9) Are there any other amendments pending on this Part? No.

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10) Statement of Statewide Policy Objectives:

This rulemaking is mandated by Section 13.3 of the Environmental Protection Act. The statewide policy objectives are set forth in Section 11 of that Act. This rulemaking imposes mandates on units of local government to the extent they pretreat industrial waste or operate a publicly owned treatment works required to have a pretreatment program.

11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking:

The Board will accept written public comment on this proposal for a period of 45 days after the date of this publication. Comments should reference Docket R91-5 and be addressed to:

Ms. Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board  
State of Illinois Center, Suite 11-500  
100 W. Randolph St.  
Chicago, IL 60601

12) Initial Regulatory Flexibility Analysis:

A) Date rule was submitted to the Small Business Office of the Department of Commerce and Community Affairs: November 25, 1991.

B) Types of small businesses affected:

This rulemaking affects those small businesses disposing of industrial wastewaters into the sewage collection system of a publicly owned treatment works.

C) Reporting, bookkeeping or other procedures required for compliance:

The existing rules and proposed amendments require extensive reporting, bookkeeping and other procedures, including the preparation of manifests and annual reports, waste analyses and maintenance of operating records.

D) Types of professional skills necessary for compliance:

Compliance with the existing rules and proposed amendments may require the services of an attorney, certified public accountant, chemist and registered professional engineer.

The full text of the proposed amendments begins on the next page:



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SUBTITLE C: WATER POLLUTION  
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PART 307

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General Requirements (Renumbered)  
Mercury (Renumbered)  
Cyanide (STORET number 00720) (Renumbered)  
Pretreatment Requirements (Repealed)  
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Cottage Cheese and Cultured Cream Cheese  
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Hot Cereal  
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SUBPART I: CANNED AND PRESERVED SEAFOOD

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## SUBPART CG: CARBON BLACK MANUFACTURING

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## SUBPART CJ: BATTERY MANUFACTURING

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307.8110 Metal Powders

Appendix References to Previous Rules (Repealed)

AUTHORITY: Implementing Sections 13 and 13.3 and authorized by Section 27 of the Environmental Protection Act (Ill. Rev. Stat. 1987, ch. 111-1/2, pars. 1013, 1013.3 and 1027).

SOURCE: Adopted in R70-5, at 1 PCB 426, March 31, 1971; amended in R71-14, at 4 PCB 3, March 7, 1972; amended in R74-3, at 19 PCB 182, October 30, 1975; amended in R74-15, 16, at 31 PCB 405, at 2 Ill. Reg. 44, p. 151, effective November 2, 1978; amended in R76-17, at 31 PCB 713, at 2 Ill. Reg. 45, p. 101, effective November 5, 1978; amended in R76-21, at 44 PCB 203, at 6 Ill. Reg. 563, effective December 24, 1981; codified at 6 Ill. Reg. 7818; amended in R82-5, 10, at 54 PCB 411, at 8 Ill. Reg. 1625, effective January 18, 1984; amended in R86-44 at 12 Ill. Reg. 2592, effective January 13, 1988; amended in R88-11 at 12 Ill. Reg. 13094, effective July 29, 1988; amended in R88-18 at 13 Ill. Reg. 1794, effective January 31, 1989; amended in R89-3 at 13 Ill. Reg. 19288, effective November 17, 1989; amended in R88-9 at 14 Ill. Reg. 3100, effective November 17, 1989; amended in R89-12 at 14 Ill. Reg. 7620, effective May 8, 1990; amended in R91-5 at 15 Ill. Reg. , effective

SUBPART B: GENERAL AND SPECIFIC PRETREATMENT REQUIREMENTS

Section 307.1101 General and Specific Requirements

No person shall introduce the following types of pollutants into a POTW:

a) General requirements-i

- 1) Pollutants which pass through the POTW, or
- 2) Pollutants which interfere with the operation or performance of the POTW, or

b) Specific requirements-i

- 1) Pollutants which create a fire or explosion hazard within the POTW, including, but not limited to, wastestreams with a closed cup flashpoint of less than 60 degrees C (140 degrees F) using the test methods specified in 35 Ill. Adm. Code 721.121;
- 2) Pollutants which would cause safety hazards to the personnel operating the treatment works;



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- 3) Pollutants which will cause corrosive damage to the POTW-1
  - 4) Pollutants which would be injurious in any other way to sewers, treatment works or structures-1
  - 5) Discharges with a pH less than 5.0, unless the POTW is specifically designed to accommodate such discharges-1
  - 6) Solid or viscous pollutants in amounts which will cause obstruction to the flow in the POTW resulting in interference-1
  - 7) Any pollutant, including oxygen demanding pollutants, at a flow rate or concentration which will cause interference with the POTW-1
  - 8) Heat in amounts which will inhibit biological activity in the POTW and interfere with the POTW-1
  - 9) Heat in amounts which results in temperatures in the influent to the POTW treatment plant in excess of 40 degrees C (104 degrees F) unless the Agency approves alternate temperature limits in pretreatment plan-1
  - 10) Pollutants which would cause the effluent from the treatment works to violate applicable effluent standards-1
  - 11) Petroleum oil, nonbiodegradable cutting oil or products of mineral oil origin in amounts that will cause interference or pass through-1
  - 12) Pollutants which result in the presence of toxic gases, vapors or fumes within the POTW in a quantity that may cause acute worker health and safety problems; or
  - 13) Any trucked or hauled pollutants, except at discharge points designated by the POTW.
- BOARD NOTE: Derived from 40 CFR 403.3 (1990), as amended at 55 Fed. Reg. 30129, July 24, 1990.

(Source: Amended at 15 Ill. Reg. , effective )

## SUBPART O: ORGANIC CHEMICALS, PLASTICS AND SYNTHETIC FIBERS

## Section 307.2400 General Provisions

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- a) General definitions. The Board incorporates by reference 40 CFR 414.10, as adopted at 52 Fed. Reg. 42569, November 5, 1987. This incorporation includes no later amendments or editions.
- b) Applicability.
  - 1) This Subpart applies to process wastewater discharges from all establishments or portions of establishments which manufacture the organic chemicals, plastics and synthetic fibers (OCPSF) products or product groups which are covered by Sections 307.2402 through 307.2408 and which are included in the following SIC major groups, as defined in the Standard Industrial Classification Manual, incorporated by reference in 35 Ill. Adm. Code 310.107:
    - A) SIC 2821 -- Plastic materials, synthetic resins and nonvulcanizable elastomers.
    - B) SIC 2823 -- Cellulosic man-made fibers.
    - C) SIC 2824 -- Synthetic organic fibers, except cellulosic.
    - D) SIC 2865 -- Cyclic crudes and intermediates, dyes and organic pigments.
    - E) SIC 2869 -- Industrial organic chemicals, not elsewhere classified.
  - 2) This Subpart applies to wastewater discharges from OCPSF research and development, pilot plant, technical service and laboratory bench scale operations if such operations are conducted in conjunction with and related to existing OCPSF manufacturing activities at the plant site.
  - 3) Notwithstanding subsection (b)(1), this Subpart does not apply to discharges resulting from the manufacture of OCPSF products if the products are included in the following SIC subgroups and if the products have in the past been reported by the establishment under these subgroups and not under the SIC groups listed in subsection (b)(1):
    - A) SIC 2843085 -- Bulk surface active agents.
    - B) SIC 28914 -- Synthetic resin and rubber adhesives;
    - C) Chemicals and chemical preparations not elsewhere classified:



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- i) SIC 2899568 -- Sizes, all types.
- ii) SIC 2899597 -- Other industrial chemical specialties, including fluxes, plastic wood preparations and embalming fluids.
- D) SIC 2911058 -- Aromatic hydrocarbons manufactured from purchased refinery products.
- E) SIC 2911632 -- Aliphatic hydrocarbons manufactured from purchased refinery products.
- 4) Notwithstanding subsection (b)(1), this Subpart does not apply to any discharges for which a different set of previously promulgated standards in Subparts F et seq. apply, unless the facility reports OCPSP products under SIC codes 2865, 2869 or 2821, and the facility's OCPSP wastewaters are discharged separately to a POTW.
- 5) This Subpart does not apply to any process wastewater discharge from the manufacture of organic chemical compounds solely by extraction from plant and animal raw materials or by fermentation processes.
- 6) Discharges of chromium, copper, lead, nickel and zinc in "complexed metal-bearing wastestreams," listed in Section 307.2491, are not subject to this Subpart.
- c) Compliance date. All dischargers subject to a pretreatment standard for existing sources in this Subpart must comply with the standard by no later than November 5, 1990.

(Source: Amended at 15 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 307.2401 Rayon Fibers

- a) Applicability. This Section applies to discharges of process wastewater resulting from the manufacture of rayon fiber by the viscose process only.

- b) Specialized definitions. None.

- c) Existing sources:

- 1) The Board incorporates by reference 40 CFR 414.25, as adopted at 52 Fed. Reg. November 5, 1987 (1990). This incorporation includes no later amendments or editions.

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- 2) No person subject to the pretreatment standards incorporated by reference in subsection (1) shall cause, threaten or allow the discharge of any contaminant to a POTW in violation of such standards.
- d) New sources:
  - 1) The Board incorporates by reference 40 CFR 414.26, as adopted at 52 Fed. Reg. November 5, 1987 (1990). This incorporation includes no later amendments or editions.
  - 2) No person subject to the pretreatment standards incorporated by reference in subsection (1) shall cause, threaten or allow the discharge of any contaminant to a POTW in violation of such standards.
  - 3) "New source" means any building, structure, facility or installation the construction of which commenced after March 21, 1983.

(Source: Amended at 15 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 307.2402 Other Fibers

- a) Applicability. This Section applies to discharges of process wastewater resulting from the manufacture of the following SIC 2823 cellulosic man-made fibers and fiber groups, except rayon and SIC 2824 synthetic organic fibers and fiber groups. Product groups are indicated with an asterisk (\*).

\*Acrylic fibers (85% Polyacrylonitrile)  
 \*Cellulose acetate fibers  
 \*Fluorocarbon (Teflon) fibers  
 \*Modacrylic fibers  
 \*Nylon 6 fibers  
 \*Nylon 6 monofilament  
 \*Nylon 66 fibers  
 \*Nylon 66 monofilament  
 \*Polyamide fibers (Quiana)  
 \*Polyaramid (Kevlar) resin fibers  
 \*Polyaramid (Nomex) resin fibers  
 \*Polyester fibers  
 \*Polyethylene fibers  
 \*Polypropylene fibers  
 \*Polyurethane fibers (Spandex)

- b) Specialized definitions. None.



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c) Existing sources:

- 1) The Board incorporates by reference 40 CFR 414.35, as adopted at 52 Fed. Reg. 42569, November 5, 1987 (1990). This incorporation includes no later amendments or editions.
- 2) No person subject to the pretreatment standards incorporated by reference in subsection (1) shall cause, threaten or allow the discharge of any contaminant to a POTW in violation of such standards.

d) New sources:

- 1) The Board incorporates by reference 40 CFR 414.36, as adopted at 52 Fed. Reg. 42569, November 5, 1987 (1990). This incorporation includes no later amendments or editions.
- 2) No person subject to the pretreatment standards incorporated by reference in subsection (1) shall cause, threaten or allow the discharge of any contaminant to a POTW in violation of such standards.
- 3) "New source" means any building, structure, facility or installation the construction of which commenced after March 21, 1983.

(Source: Amended at 15 Ill. Reg. , effective )

Section 307.2403 Thermoplastic Resins

- a) Applicability. This Section applies to discharges of process wastewater resulting from the manufacture of the following SIC 28213 thermoplastic resins and thermoplastic resin groups. Product groups are indicated with an asterisk (\*).

\*Abietic acid -- Derivatives  
 \*ABS resins  
 \*ABS-SAN resins  
 \*Acrylate-methacrylate latexes  
 \*Acrylic latex  
 \*Acrylic resins  
 \*Cellulose acetate butyrates  
 Cellulose acetate resin  
 \*Cellulose acetates  
 \*Cellulose acetates propionates  
 Cellulose nitrate  
 Cellulose sponge

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\*Ethylene-methacrylic acid copolymers  
 \*Ethylene-vinyl acetate copolymers  
 \*Fatty acid resins  
 \*Fluorocarbon polymers  
 Nylon 11 resin  
 Nylon 6-66 copolymers  
 \*Nylon 6 -- Nylon 11 blends  
 Nylon 6 resin  
 Nylon 612 resin  
 Nylon 66 resin  
 \*Nylons  
 \*Petroleum hydrocarbon resins  
 \*Polyvinyl pyrrolidone -- copolymers  
 \*Poly(alpha)olefins  
 Polyacrylic acid  
 \*Polamides  
 \*Polyarylamides  
 Polybutadiene  
 \*Polybutenes  
 Polybutyl succinic anhydride  
 \*Polycarbonates  
 \*Polyester resins  
 \*Polyester resins, Polybutylene terephthalate  
 \*Polyester resins, Polyoxycenzoate  
 Polyethylene  
 \*Polyethylene -- ethyl acrylate resins  
 Polyethylene -- polyvinylacetate copolymers  
 Polyethylene resin (HDPE)  
 Polyethylene resin (LDPE)  
 Polyethylene resin, scrap  
 Polyethylene resin, wax (low molecular weight)  
 Polyethylene resin, latex  
 Polyethylene resins  
 \*Polyethylene resins, compounded  
 \*Polyethylene, chlorinated  
 \*Polyimides  
 \*Polypropylene resins  
 Polystyrene (crystal)  
 Polystyrene (crystal) modified  
 \*Polystyrene -- copolymers  
 \*Polystyrene -- acrylic latexes  
 Polystyrene impact resins  
 Polystyrene latex  
 Polystyrene, expandable  
 Polystyrene, expanded  
 \*Polysulfone resins  
 Polyvinyl acetate  
 \*Polyvinyl acetate -- PVC copolymers



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\*Polyvinyl acetate copolymers  
\*Polyvinyl acetate resins  
Polyvinyl alcohol resin  
Polyvinyl chloride  
Polyvinyl chloride, chlorinated  
\*Polyvinyl ether -- maleic anhydride  
\*Polyvinyl formal resins  
\*Polyvinylacetate -- methacrylic copolymers  
\*Polyvinylacetate acrylic copolymers  
\*Polyvinylacetate -- 2-ethylhexylacrylate copolymers  
Polyvinylidene chloride  
\*Polyvinylidene chloride copolymers  
\*Polyvinylidene -- vinyl chloride resins  
\*PVC copolymers, acrylates (Latex)  
\*PVC copolymers, ethylene -- vinyl chloride  
\*Rosin derivative resins  
\*Rosin modified resins  
\*Rosin resins  
\*SAN resins  
\*Silicones: Silicone resin  
\*Silicones: Silicone rubbers  
\*Styrene -- maleic anhydride resins  
Styrene polymeric residue  
\*Styrene -- acrylic copolymer resins  
\*Styrene -- acrylonitrile -- acrylates copolymers  
\*Styrene -- butadiene resins  
\*Styrene -- butadiene resins (less than 50% butadiene)  
\*Styrene -- butadiene resins (Latex)  
\*Styrene -- divinyl benzene resins (ion exchange)  
\*Styrene -- methacrylate terpolymer resins  
\*Styrene -- methyl methacrylate copolymers  
\*Styrene, butadiene, vinyl toluene terpolymers  
\*Sulfonated styrene -- maleic anhydride resins  
\*Unsaturated polyester resins  
\*Vinyl toluene resins  
\*Vinyl toluene -- acrylate resins  
\*Vinyl toluene -- butadiene resins  
\*Vinyl toluene -- methacrylate resins  
\*Vinylacetate -- n-butylacrylate copolymers

b) Specialized definitions. None.

c) Existing sources:

- 1) The Board incorporates by reference 40 CFR 414.45, as adopted at 52 Fed. Reg. 42569, November 5, 1987 (1990). This incorporation includes no later amendments or editions.

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- 2) No person subject to the pretreatment standards incorporated by reference in subsection (1) shall cause, threaten or allow the discharge of any contaminant to a POTW in violation of such standards.
- d) New sources:
- 1) The Board incorporates by reference 40 CFR 414.46, as adopted at 52 Fed. Reg. 42569, November 5, 1987 (1990). This incorporation includes no later amendments or editions.
- 2) No person subject to the pretreatment standards incorporated by reference in subsection (1) shall cause, threaten or allow the discharge of any contaminant to a POTW in violation of such standards.
- 3) "New source" means any building, structure, facility or installation the construction of which commenced after March 21, 1983.

(Source: Amended at 15 Ill. Reg. , effective )

## Section 307.2404 Thermosetting Resins

- a) Applicability. This Section applies to discharges of process wastewater resulting from the manufacture of the following SIC 28214 thermosetting resins and thermosetting resin groups. Product groups are indicated with an asterisk (\*).

\*Alkyd resins  
Dicyanodiamide resin  
\*Epoxy resins  
\*Fumaric acid polyesters  
\*Furan resins  
Glyoxal -- urea formaldehyde textile resin  
\*Ketone -- formaldehyde resins  
\*Melamine resins  
\*Phenolic resins  
\*Polyacetal resins  
\*Polyacrylamide  
\*Polyurethane prepolymers  
\*Polyurethane resins  
\*Urea formaldehyde resins  
\*Urea resins

b) Specialized definitions. None.

c) Existing sources:



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- 1) The Board incorporates by reference 40 CFR 414.55--~~as adopted at 52 Fed. Reg. 42569, November 5, 1987 (1990).~~  
This incorporation includes no later amendments or editions.
- 2) No person subject to the pretreatment standards incorporated by reference in subsection (1) shall cause, threaten or allow the discharge of any contaminant to a POTW in violation of such standards.
- d) New sources:
  - 1) The Board incorporates by reference 40 CFR 414.56--~~as adopted at 52 Fed. Reg. 42569, November 5, 1987 (1990).~~  
This incorporation includes no later amendments or editions.
  - 2) No person subject to the pretreatment standards incorporated by reference in subsection (1) shall cause, threaten or allow the discharge of any contaminant to a POTW in violation of such standards.
  - 3) "New source" means any building, structure, facility or installation the construction of which commenced after March 21, 1983.

(Source: Amended at 15 Ill. Reg. , effective )

## Section 307.2405 Commodity Organic Chemicals

- a) Applicability. This section applies to discharges of process wastewater resulting from the manufacture of the following SIC 2865 or 2869 commodity organic chemicals and commodity organic chemical groups. Product groups are indicated with an asterisk (\*).

## 1) Aliphatic organic chemicals

Acetaldehyde  
Acetic acid  
Acetic anhydride  
Acetone  
Acrylonitrile  
Adipic acid  
\*Butylenes (Butenes)  
Cyclohexane  
Ethanol  
Ethylene  
Ethylene glycol

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Ethylene oxide  
Formaldehyde  
Isopropanol  
Methanol  
Polyoxypropylene glycol  
Propylene  
Propylene oxide  
Vinyl acetate  
1,2-Dichloroethane  
1,3-Butadiene

## 2) Aromatic organic chemicals

Benzene  
Cumene  
Dimethyl terephthalate  
Ethylbenzene  
m-Xylene (impure)  
p-Xylene  
Phenol  
\*Pitch tar residues  
Pyrolysis gasolines  
Styrene  
Terephthalic acid  
Toluene  
\*Xylenes, mixed  
o-Xylene

## 3) Halogenated organic compounds

Vinyl chloride

## b) Specialized definitions. None.

## c) Existing sources:

- 1) The Board incorporates by reference 40 CFR 414.65--~~as adopted at 52 Fed. Reg. 42569, November 5, 1987 (1990).~~  
This incorporation includes no later amendments or editions.
- 2) No person subject to the pretreatment standards incorporated by reference in subsection (1) shall cause, threaten or allow the discharge of any contaminant to a POTW in violation of such standards.
- d) New sources:
  - 1) The Board incorporates by reference 40 CFR 414.66--~~as~~



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adopted at 52 Fed. Reg. 42569, November 5, 1987 (1990).  
This incorporation includes no later amendments or editions.

- 2) No person subject to the pretreatment standards incorporated by reference in subsection (1) shall cause, threaten or allow the discharge of any contaminant to a POTW in violation of such standards.
- 3) For discharges of wastewater resulting from the manufacture of butadiene by any process which includes the oxidative dehydrogenation of butene, "new source" means any building, structure, facility or installation the construction of which commenced after December 17, 1973. For other sources, "new source" means any building, structure, facility or installation the construction of which commenced after March 21, 1983.

(Source: Amended at 15 Ill. Reg. , effective )

## Section 307.2406 Bulk Organic Chemicals

- a) Applicability. This section applies to discharges of process wastewater resulting from the manufacture of the following SIC 2865 or 2869 bulk organic chemicals and bulk organic chemical groups. Product groups are indicated with an asterisk (\*).

## 1) Aliphatic organic chemicals

\*Acetic acid esters  
 \*Acetic acid salts  
 Acetone cyanohydrin  
 Acetylene  
 Acrylic acid  
 \*Acrylic acid esters  
 \*Alkoxy alkanols  
 \*Alkylates  
 \*alpha-olefins  
 Butane (all forms)  
 C-4 hydrocarbons (unsaturated)  
 Calcium stearate  
 Caprolactam  
 Carboxymethyl cellulose  
 Cellulose acetate butyrates  
 \*Cellulose ethers  
 Citric acid  
 Cumene hydroperoxide  
 Cyclohexanol  
 Cyclohexanol, cyclohexanone (mixed)

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Cyclohexanone  
 Cyclohexene  
 \*C12 -- C18 primary alcohols (mixed)  
 \*C5 concentrates  
 \*C9 concentrates  
 Decanol  
 Diacetone alcohol  
 \*Dicarboxylic acids -- salts  
 Diethyl ether  
 Diethylene glycol  
 Diethylene glycol diethyl ether  
 Diethylene glycol dimethyl ether  
 Diethylene glycol monoethyl ether  
 Diethylene glycol monomethyl ether  
 \*Dimer acids  
 Dioxane  
 Ethane  
 Ethylene glycol monophenyl ether  
 \*Ethoxylates, miscellaneous  
 Ethylene glycol dimethyl ether  
 Ethylene glycol monobutyl ether  
 Ethylene glycol monoethyl ether  
 Ethylene glycol monomethyl ether  
 \*Fatty acids  
 Glycerine (synthetic)  
 Glyoxal  
 Hexane  
 \*Hexane and other C6 hydrocarbons  
 Isobutanol  
 Isobutylene  
 Isobutyraldehyde  
 Isophorone  
 Isophthalic acid  
 Isoprene  
 Isopropyl acetate  
 Lignosulfonic acid, calcium salt  
 Maleic anhydride  
 Methacrylic acid  
 \*Methacrylic acid esters  
 Methane  
 Methyl ethyl ketone  
 Methyl methacrylate  
 Methyl tert-butyl ether  
 Methyl isobutyl ketone  
 n-alkanes  
 n-butyl alcohol  
 n-butyl acetate  
 n-butyraldehyde



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n-butyric acid  
 n-butyric anhydride  
 \*n-paraffins  
 n-propyl acetate  
 n-propyl alcohol  
 Nitrotriacetic acid  
 Nylon salt  
 Oxalic acid  
 \*Oxo aldehydes -- alcohols  
 Pentaerythritol  
 Pentane  
 \*Pentenes  
 \*Petroleum sulfonates  
 Pine oil  
 Polyoxybutylene glycol  
 Polyoxyethylene glycol  
 Propane  
 Propionaldehyde  
 Propionic acid  
 Propylene glycol  
 sec-butyl alcohol  
 Sodium formate  
 Sorbitol  
 Stearic acid, calcium salt (wax)  
 tert-butyl alcohol  
 1-Butene  
 1-Pentene  
 1,4-Butanediol  
 Isobutyl acetate  
 2-Butene (cis and trans)  
 2-Ethylhexanol  
 2-Ethylbutyraldehyde  
 2,2,4-Trimethyl-1,3-pentanediol

2) Amine and amide organic chemicals

2,4-Diaminotoluene  
 \*Alkyl amines  
 Aniline  
 Caprolactam, aqueous concentrate  
 Diethanolamine  
 Diphenylamine  
 \*Ethanalamines  
 Ethylamine  
 Ethylenediamine  
 Ethylenediaminetetraacetic acid  
 \*Fatty acids  
 Hexamethylenediamine

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Isopropylamine  
 m-Toluidine  
 Melamine  
 Melamine crystal  
 \*Methylamines  
 Methylene dianiline  
 n-butylamine  
 N,N-diethylaniline  
 N,N-dimethylformamide  
 \*Nitroanilines  
 Polymeric methylene dianiline  
 sec-butylamine  
 tert-butylamine  
 Toluenediamine (mixture)  
 \*Toluidines  
 o-Phenylenediamine  
 1,4-Phenylenediamine dihydrochloride  
 2,6-Dimethylaniline  
 4-(N-Hydroxyethyl)ethylaniline)-2-hydroxyethyl aniline  
 4,4'-Methylenebis(N,N'-dimethyl)aniline  
 4,4'-Methylenedianiline

3) Aromatic organic chemicals

alpha-methylstyrene  
 \*Alkyl benzenes  
 \*Alkyl phenols  
 \*Alkylbenzene sulfonic acids, salts  
 Aminobenzoic acid (meta and para)  
 Aspirin  
 beta-naphthalene sulfonic acid  
 Benzenedisulfonic acid  
 Benzoic acid  
 Bis(2-ethylhexyl)phthalate  
 Bisphenol A  
 BTX -- benzene, toluene, xylene (mixed)  
 Butyl octyl phthalate  
 Coal tar  
 \*Coal tar products (miscellaneous)  
 Creosote  
 \*Cresols, mixed  
 Cyanuric acid  
 \*Cyclic aromatic sulfonates  
 Dibutyl phthalate  
 Diisobutyl phthalate  
 Diisodecyl phthalate  
 Diisooctyl phthalate  
 Dimethyl phthalate



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- Dinitrotoluene (mixed)  
Dinitroethyl phthalate  
m-Cresol  
Metanilic acid  
Methylenediphenyldiisocyanate  
Naphthalene  
\*Naphthalene, solvent  
Nitrobenzene  
Nitrotoluene  
Nonylphenol  
p-Cresol  
Phthalic acid  
Phthalic anhydride  
\*Tars -- pitches  
tert-butylphenol  
\*Toluenediisocyanates (mixture)  
Trimellitic acid  
o-cresol  
1-Tetralol, 1-tetralone mix  
2,4-Dinitrotoluene  
2,6-Dinitrotoluene
- 4) Halogenated organic chemicals
- Allyl chloride  
Benzyl chloride  
Carbon tetrachloride  
\*Chlorinated paraffins, 35-44% chlorine  
Chlorobenzene  
\*Chlorobenzenes (mixed)  
Chlorodifluoroethane  
Chloroform  
\*Chloromethanes  
2-Chloro-5-methylphenol (6-Chloro-m-cresol)  
\*Chlorophenols  
Chloroprene  
Cyanogen chloride  
Cyanuric chloride  
Dichloropropane  
Epichlorohydrin  
Ethyl chloride  
\*Fluorocarbons (Freons)  
Methyl chloride  
Methylene chloride  
Pentachlorophenol  
Phosgene  
Tetrachloroethylene  
Trichloroethylene

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- Trichlorofluoromethane  
Vinylidene chloride  
1,1-Dichloroethane  
1,1,1-Trichloroethane  
2,4-Dichlorophenol
- 5) Other organic chemicals
- Adiponitrile  
Carbon disulfide  
Dithiophosphates, sodium salt  
Fatty nitriles  
\*Organo-tin compounds  
\*Phosphate esters  
Tetraethyl lead  
Tetramethyl lead  
\*Urethane prepolymers  
\*Waxes, emulsions -- dispersions
- b) Specialized definitions. None.
- c) Existing sources:
- 1) The Board incorporates by reference 40 CFR 414.75, as adopted at 52 Fed. Reg. 42569, November 5, 1987 (1990). This incorporation includes no later amendments or editions.
- 2) No person subject to the pretreatment standards incorporated by reference in subsection (1) shall cause, threaten or allow the discharge of any contaminant to a POTW in violation of such standards.
- d) New sources:
- 1) The Board incorporates by reference 40 CFR 414.76, as adopted at 52 Fed. Reg. 42569, November 5, 1987 (1990). This incorporation includes no later amendments or editions.
- 2) No person subject to the pretreatment standards incorporated by reference in subsection (1) shall cause, threaten or allow the discharge of any contaminant to a POTW in violation of such standards.
- 3) "New source" means any building, structure, facility or installation the construction of which commenced after March 21, 1983.

(Source: Amended at 15 Ill. Reg. , effective )



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## Section 307.2407 Specialty Organic Chemicals

a) Applicability. This Section applies to discharges of process wastewater resulting from the manufacture of any SIC 2865 or 2869 organic chemicals and organic chemical groups which are not defined as commodity or bulk organic chemicals in Section 307.2405 or 307.2406.

b) Specialized definitions. None.

c) Existing sources:

1) The Board incorporates by reference 40 CFR 414.85, as adopted at 52 Fed. Reg. 42569, November 5, 1987 (1990). This incorporation includes no later amendments or editions.

2) No person subject to the pretreatment standards incorporated by reference in subsection (1) shall cause, threaten or allow the discharge of any contaminant to a POTW in violation of such standards.

d) New sources:

1) The Board incorporates by reference 40 CFR 414.86, as adopted at 52 Fed. Reg. 42569, November 5, 1987 (1990). This incorporation includes no later amendments or editions.

2) No person subject to the pretreatment standards incorporated by reference in subsection (1) shall cause, threaten or allow the discharge of any contaminant to a POTW in violation of such standards.

3) "New source" means any building, structure, facility or installation the construction of which commenced after March 21, 1983.

(Source: Amended at 15 Ill. Reg. , effective )

## Section 307.2490 Non-complexed Metal-bearing and Cyanide-bearing Wastestreams

The Board incorporates by reference 40 CFR 414, Appendix A (1989Q). This incorporation includes no later amendments or editions.

(Source: Amended at 15 Ill. Reg. , effective )

## SUBPART V: NONFERROUS METALS MANUFACTURING

## POLLUTION CONTROL BOARD

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## Section 307.3100 General Provisions

a) Applicability. This Subpart applies to any facility producing primary metals from ore concentrates or recovering secondary metals from recycle wastes which introduces or may introduce pollutants into a POTW. This Subpart applies only to alloying or casting of hot metal directly from the nonferrous metals manufacturing process without cooling. Remelting followed by alloying or cooling is included in the aluminum forming, nonferrous metals forming or metal molding and casting categories.

b) This subsection corresponds to 40 CFR 421.2 (1990), reserved by the U.S. Environmental Protection Agency, in order that the following subsections may maintain a linear correspondence with other federal provisions.

c) Monitoring requirements. The Board incorporates by reference 40 CFR 421.3 (198690), as amended at 55 Fed. Reg. 31697, August 3, 1990. This incorporation includes no later amendments or editions.

d) Compliance dates. The Board incorporates by reference 40 CFR 421.4 (198690). This incorporation includes no later amendments or editions.

e) Removal credits. The control authority may grant removal credits pursuant to 35 Ill. Adm. Code 310.300 et seq. for toxic metals limited in this Subpart when used as indicator pollutants.

(Source: Amended at 15 Ill. Reg. , effective )

## Section 307.3109 Metallurgical Acid Plants

a) Applicability. This Section applies to discharges resulting from or associated with the manufacture of by-product sulfuric acid at primary smelters, primary copper smelters, primary zinc facilities, primary lead facilities or primary molybdenum facilities, including associated air pollution control or gas-conditioning systems for sulfur dioxide off-gases from pyrometallurgical operations.

b) Specialized definitions. The Board incorporates by reference 40 CFR 421.91 (198690). This incorporation includes no later amendments or editions.

c) Existing sources:



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- 1) The Board incorporates by reference 40 CFR 421.95 (198690). This incorporation includes no later amendments or editions.
- 2) No person subject to the pretreatment standards incorporated by reference in subsection (1) shall cause, threaten or allow the discharge of any contaminant to a POTW in violation of such standards.

## d) New sources:

- 1) The Board incorporates by reference 40 CFR 421.96 (198690), as amended at 55 Fed. Reg. 31697, August 3, 1990. This incorporation includes no later amendments or editions.
- 2) No person subject to the pretreatment standards incorporated by reference in subsection (1) shall cause, threaten or allow the discharge of any contaminant to a POTW in violation of such standards.
- 3) "New source" means any building, structure, facility or installation the construction of which commenced after February 17, 1983.

(Source: Amended at 15 Ill. Reg. , effective )

## Section 307.3115 Primary Beryllium

- a) Applicability. This Section applies to discharges resulting from the production of beryllium by primary beryllium facilities processing beryllium ore concentrates or beryllium hydroxide raw materials.

- b) Specialized definitions. The Board incorporates by reference 40 CFR 421.151 (198690). This incorporation includes no later amendments or editions.

- c) Existing sources: These sources shall comply with the general and specific pretreatment requirements of Subpart B.

## d) New sources:

- 1) The Board incorporates by reference 40 CFR 421.156 (198690), as amended at 55 Fed. Reg. 31700, August 3, 1990. This incorporation includes no later amendments or editions.
- 2) No person subject to the pretreatment standards incorporated by reference in subsection (1) shall cause, threaten or allow the discharge of any contaminant to a POTW in

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violation of such standards.

- 3) "New source" means any building, structure, facility or installation the construction of which commenced after June 27, 1984.

(Source: Amended at 15 Ill. Reg. , effective )

## Section 307.3119 Primary Molybdenum and Rhenium

- a) Applicability. This Section applies to discharges resulting from the production of molybdenum and rhenium facilities.

- b) Specialized definitions. The Board incorporates by reference 40 CFR 421.211 (198690). This incorporation includes no later amendments or editions.

- c) Existing sources: These sources shall comply with the general and specific pretreatment requirements of Subpart B.

## d) New sources:

- 1) The Board incorporates by reference 40 CFR 421.216 (198690), as amended at 55 Fed. Reg. 31702, August 3, 1990. This incorporation includes no later amendments or editions.

- 2) No person subject to the pretreatment standards incorporated by reference in subsection (1) shall cause, threaten or allow the discharge of any contaminant to a POTW in violation of such standards.

- 3) "New source" means any building, structure, facility or installation the construction of which commenced after June 27, 1984.

(Source: Amended at 15 Ill. Reg. , effective )

## Section 307.3120 Secondary Molybdenum and Vanadium

- a) Applicability. This Section applies to discharges resulting from the production of molybdenum or vanadium by secondary molybdenum or vanadium facilities.

- b) Specialized definitions. The Board incorporates by reference 40 CFR 421.221 (198690). This incorporation includes no later amendments or editions.

- c) Existing sources: These sources shall comply with the general and



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specific pretreatment requirements of Subpart B.

## d) New sources:

- 1) The Board incorporates by reference 40 CFR 421.226 (1984<sup>90</sup>)<sub>1</sub> as amended at 55 Fed. Reg. 31704, August 3, 1990. This incorporation includes no later amendments or editions.
- 2) No person subject to the pretreatment standards incorporated by reference in subsection (1) shall cause, threaten or allow the discharge of any contaminant to a POTW in violation of such standards.
- 3) "New source" means any building, structure, facility or installation the construction of which commenced after June 27, 1984.

(Source: Amended at 15 Ill. Reg. , effective )

## Section 307.3124 Secondary Precious Metals

- a) Applicability. This Section applies to discharges resulting from the production of precious metals at secondary precious metals facilities.
- b) Specialized definitions. The Board incorporates by reference 40 CFR 421.261 (1984<sup>90</sup>)<sub>1</sub> as amended at 55 Fed. Reg. 31705, August 3, 1990. This incorporation includes no later amendments or editions.

## c) Existing sources:

- 1) The Board incorporates by reference 40 CFR 421.265 (1984<sup>90</sup>)<sub>1</sub> as amended at 55 Fed. Reg. 31710, August 3, 1990. This incorporation includes no later amendments or editions.
- 2) No person subject to the pretreatment standards incorporated by reference in subsection (1) shall cause, threaten or allow the discharge of any contaminant to a POTW in violation of such standards.

## d) New sources:

- 1) The Board incorporates by reference 40 CFR 421.266 (1984<sup>90</sup>)<sub>1</sub> as amended at 55 Fed. Reg. 31711, August 3, 1990, and 55 Fed. Reg. 36932, September 7, 1990. This incorporation includes no later amendments or editions.

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- 2) No person subject to the pretreatment standards incorporated by reference in subsection (1) shall cause, threaten or allow the discharge of any contaminant to a POTW in violation of such standards.
- 3) "New source" means any building, structure, facility or installation the construction of which commenced after June 27, 1984.

(Source: Amended at 15 Ill. Reg. , effective )

## Section 307.3129 Secondary Tungsten and Cobalt

- a) Applicability. This Section applies to discharges resulting from the production of tungsten or cobalt at secondary tungsten or cobalt facilities processing tungsten or tungsten carbide raw materials.
- b) Specialized definitions. The Board incorporates by reference 40 CFR 421.311 (1984<sup>90</sup>)<sub>1</sub>. This incorporation includes no later amendments or editions.

## c) Existing sources:

- 1) The Board incorporates by reference 40 CFR 421.315 (1984<sup>90</sup>)<sub>1</sub> as amended at 55 Fed. Reg. 31716, August 3, 1990. This incorporation includes no later amendments or editions.
- 2) No person subject to the pretreatment standards incorporated by reference in subsection (c)(1) shall cause, threaten or allow the discharge of any contaminant to a POTW in violation of such standards.

## d) New sources:

- 1) The Board incorporates by reference 40 CFR 421.316 (1984<sup>90</sup>)<sub>1</sub> as amended at 55 Fed. Reg. 31718, August 3, 1990. This incorporation includes no later amendments or editions.
- 2) No person subject to the pretreatment standards incorporated by reference in subsection (d)(1) shall cause, threaten or allow the discharge of any contaminant to a POTW in violation of such standards.
- 3) "New source" means any building, structure, facility or installation the construction of which commenced after June 27, 1984.



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(Source: Amended at 15 Ill. Reg. , effective )

## ILLINOIS REGISTER

## DEPARTMENT OF STATE POLICE

## NOTICE OF PROPOSED RULES

1) Heading of Part: Firearm Transfer Inquiry Program

2) Code Citation: 20 Ill. Adm. Code 1235

3) Section Numbers:

1235.10  
1235.20  
1235.30  
1235.40  
1235.50  
1235.60  
1235.70  
1235.80  
1235.90  
1235.100  
1235.110  
1235.120  
1235.130

Proposed Action:

New Section  
New Section  
New Section  
New Section  
New Section  
New Section  
New Section  
New Section  
New Section  
New Section  
New Section  
New Section  
New Section

4) Statutory Authority: Implementing and authorized by Section 3 and Section 3.1 of The Firearm Owner's Identification Card Act (Ill. Rev. Stat. 1989, ch. 38, pars. 83-1 et seq.), as amended by P.A. 87-299, effective January 1, 1992, and authorized by Section 55a of the Civil Administrative Code of Illinois (Ill. Rev. Stat. 1989, ch. 127, par. 55a).

5) A Complete Description of the Subjects and Issues Involved: Recent amendments to the Firearm Owner's Identification Card Act require the Department of State Police to provide a "dial-up" telephone arrangement to satisfy requirements relating to the transfer of firearms. The telephone system is to be used by federally-licensed firearm dealers to verify if the transferee would be legally disqualified from acquiring or possessing the firearm. This rulemaking establishes the procedures for utilizing the system.

6) Will this proposed rule replace an emergency rule currently in effect?  
No.

7) Does this rulemaking contain an automatic repeal date? No.

8) Does this proposed rule contain incorporations by reference? No.

9) Are there any other amendments pending on this Part? No.

10) Statement of Statewide Policy Objectives: This rule has no effect on local governmental units.



## DEPARTMENT OF STATE POLICE

## NOTICE OF PROPOSED RULES

- 11) Time, place, and manner in which interested persons may comment on this proposed rulemaking: Within 14 days of the date of publication of this Notice, any interested person may request the opportunity to submit comments, data, views, or argument regarding the proposed rules. The request and submissions must be in writing and directed to:

Mr. James W. Redlich  
Chief Legal Counsel  
Illinois State Police  
103 Armory Building  
P.O. Box 19461  
Springfield, Illinois 62794-9461  
217/782-7658

The Department will consider any written submissions or comments if the request to comment is mailed within 14 days of the date of publication of this Notice and is received in writing by the Department within 30 days of the date of publication of this Notice.

## 12) Initial Regulatory Flexibility Analysis:

- A) Date rule was submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: November 22, 1991.
- B) Types of small businesses affected: Federally-licensed firearm dealers who transfer firearms in Illinois will be affected.
- C) Reporting, bookkeeping or other procedures required for compliance: The affected businesses will have to complete a simple form to be enrolled in the Firearm Transfer Inquiry Program and will have to provide a denial number and form to a transferee when transfer approval is denied.
- D) Types of professional skills necessary for compliance: The only skills necessary to comply with these rules is the ability to read and write and to operate a telephone.

The full text of the Proposed Rules are identical to the Emergency Rules as they appear on page 17785 of this issue of the Illinois Register.

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## NOTICE OF ADOPTED AMENDMENT

- 1) The Heading of the Part: Applications
- 2) Code Citation: 92 Ill. Adm. Code 1202
- 3) Section numbers: Adopted Action:  
1202.10 Amended  
1202.20 Amended  
1202.40 Amended  
1202.50 Amended
- 4) Statutory Authority: Implementing Sections 18c-1202 and 18c-2107 and authorized by Section 18c-1202 of The Illinois Commercial Transportation Law (Ill. Rev. Stat 1989, ch.95 1/2, par. 18c-1101 et seq.).
- 5) Effective Date of Amendment: December 1, 1991
- 6) Does this rulemaking contain an automatic repeal date? No.
- 7) Does this amendment contain incorporations by reference? No.
- 8) Date Filed in Agency's Principal Office: December 1, 1991
- 9) Notice of Proposal Published in Illinois Register:  
December 9, 1990 at 14 Ill. Reg. 19094
- 10) Has JCAR issued a Statement of Objections to this amendment?  
No.
- 11) Difference(s) between proposal and final version:  
In 1202.10(a)(3) the parentheses have been stricken as well as the words "supporting documents" appearing in the second line.  
The following sentence has been added at the end of 1202.10(c): "No shipper support statement will be accepted unless the shipper is named in the application as provided by subsection (a)(2) above."  
The last sentence of 1202.10(f)(1) has been stricken. In addition, in the remaining sentence, "each commodity" has been stricken and replaced by "the commodities".  
Subsection (f)(5) has been added to Section 1202.10.



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In Section 1202.20 new subsection (b) has been stricken (this will result in the following subsections reverting to the existing lettering scheme, i.e. (c) remains (b), etc.).

In 1202.20(b) the added language "when the applicant intends...original publication" has been stricken.

In 1202.40(a) the following has been stricken from the last sentence: "names of all supporting shippers and the".

In 1202.40(d) the words "accompanied by" have been stricken and replaced by "in accordance with".

In 1202.40(f) the words "Each commodity" have been stricken and replaced by "The commodities". In addition the final sentence of the subsection has been stricken ("Any commodity or...will not be granted").

In 1202.40(h) the following has been added after the word "vacated": "and the application being dismissed".

- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR?  
Yes.

- 13) Will this amendment replace an emergency amendment currently in effect? No.

- 14) Are there any amendments pending on this Part? No.

- 15) Summary and Purpose of Amendments:

This rulemaking establishes additional administrative standards for an applicant to meet when seeking a grant of new, extended or temporary authority. Primarily, the proposal establishes standards for determining whether a public need has been demonstrated which would warrant the issuance of authority, and addresses such issues as the level of shipper support for the application. The proposal also amends the application filing requirements with regard to when supporting documents must be filed and adds a requirement that the applications must include the names of all supporting shippers.

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- 16) Information and questions regarding this adopted amendment shall be directed to:

Kathy Lynch  
Illinois Commerce Commission  
527 East Capitol Avenue  
P.O. Box 19280  
Springfield, IL 62794-9280

The full text of the Adopted Amendment begins on the next page:



## ILLINOIS COMMERCE COMMISSION

## NOTICE OF ADOPTED AMENDMENT

TITLE 92: TRANSPORTATION  
 CHAPTER III: ILLINOIS COMMERCE COMMISSION  
 SUBCHAPTER a: COMMERCIAL TRANSPORTATION GENERALLY

PART 1202  
 APPLICATIONS

Section 1202.10 Application Forms for Permanent Authority  
 1202.20 Notice of Applications for Permanent Authority  
 1202.30 Petitions for Leave to Intervene  
 1202.40 Temporary Motor Carrier of Property License Applications  
 1202.50 Emergency Temporary Motor Carrier of Property License Applications

AUTHORITY: Implementing Sections 18c-1202 and 18c-2107 and authorized by Section 18c-1202 of the Illinois Commercial Transportation Law (Ill. Rev Stat. 1989, ch. 95 1/2, pars. 18c-1202 and 18c-2107).

SOURCE: Adopted at 11 Ill. Reg. 17528, effective October 15, 1987; amended at 15 Ill. Reg. 17568, effective December 1, 1991.

## Section 1202.10 Application Forms for Permanent Authority

- a) ~~Applications under the Illinois Commercial Transportation Law (Law) (Ill. Rev. Stat. 1985, ch. 95-1/2, pars. 18c-101 et seq.) shall be on the application forms provided by the Illinois Commerce Commission (Commission).~~
- b) ~~Where no form has been provided for the specific purpose of the application, an applicant shall file a verified petition (see Ill. Rev. Stat. 1985, ch. 95-1/2, par. 18c-2103(2)).~~
- a) Application for permanent authority shall be filed on forms provided by the Commission and must be accompanied by the following:
- 1) the required fee specified in 92 Ill. Adm. Code 1205;
  - 2) The names and addresses of all shippers who intend to support the application;

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- 3) All supporting documents, except as provided in subsection (c) below ~~supporting documents must be completed when filed;~~ and
- 4) If an Illinois corporation, a copy of the articles of incorporation, or the certificate of authority to do business in Illinois if a foreign corporation.

b) Any application received which is not completed or which is not accompanied by the items specified in subsections (1) through (4) above shall be returned to the applicant.

c) Completed shipper support statements (Supporting Document SS) may either be filed with the application or at least 10 days prior to the date of the hearing on the application in accordance with the provisions of Section 18c-4201(4) of the Illinois Commercial Transportation Law (the Law) (Ill. Rev. Stat. 1989, ch. 95 1/2, par. 18c-1101 et seq.). No shipper support statement will be accepted unless the shipper is named in the application as provided by subsection (a)(2) above.

d) Permanent authority shall not be granted unless the application and the evidence presented at hearing demonstrate that a public need exists for the requested service and that the applicant is fit, willing and able to provide the service requested.

e) Fitness shall be determined in accordance with the provisions of 92 Ill. Adm. Code 1304: Motor Carrier of Property Fitness Standards.

f) In determining whether a public need exists for the requested service the Commission shall consider:

- 1) Whether the applicant has sufficient shipper support to establish a public need for the transportation of the commodities and territory requested.
- 2) Whether supporting shippers have made a bona fide attempt to obtain service from existing authorized carriers.
- 3) Whether supporting shippers have experienced service failures, within the calendar year



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preceding application, which warrant the addition of new service.

4) Whether the supporting shippers provide evidence of a clear intent to use the applicant's services to the extent specified in the Shipper Support Statement.

5) Whether the testimony of supporting shippers demonstrates a need for the applicant's services as a means of meeting requirements of state or federal law, or local ordinances, for use of "minority owned businesses" or "female owned businesses" which need is not being met by existing authorized carriers. "Minority owned businesses" and "female owned businesses" shall be those so certified by a state agency, state university, or the Minority and Female Business Enterprise Council in accordance with the provisions of the Illinois Minority and Female Business Enterprise Act (Ill. Rev. Stat. 1989, ch. 127, pars. 132.600 et seq.).

(Source: Amended at 15 Ill. Reg. 17568, effective December 1, 1991)

Section 1202.20 Notice of Applications for Permanent Authority

a) Publication-of-Notice

1) When public notice of an application is required by the Law, notice shall be given by publication in the "official newspaper" designated by the Department of Central Management Services pursuant to Section 4 of the Illinois Purchasing Act (Ill. Rev. Stat. 1985/1989, ch. 127, par. 132.4). The notice must state the docket number assigned by the Commission and must be on the publication of notice form appropriate-for-the-type-of application-involved provided by the Commission.

2) When commodities are described in a notice of publication, the commodities shall be described in accordance with Uniform Commodities Classifications, 92-FR-Adm-Code-1460.

b) Notice-of-application shall include the names of all shippers who intend to support the application.

An applicant shall be directed to republish notice of

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an application when the original publication failed to give notice to the public of the nature and extent of the proposed operations or when the publication was not in compliance with this Section.

c) Each applicant shall obtain from the official newspaper a certificate of publication certifying that the notice has been published and showing the contents of the notice and the date of publication. The applicant shall file a copy of the certificate with the Commission. An application is not complete until the certificate of publication has been filed. A hearing on the application shall not commence until the certificate of publication has been filed.

(Source: Amended at 15 Ill. Reg. 17568, effective December 1, 1991)

Section 1202.40 Temporary Motor Carrier of Property License Applications

a) This Section shall apply to:

1) Applications for a temporary license in the name of an applicant, and

2) Applications for a temporary license to operate a license issued to a person other than an applicant

b) An urgent and immediate need in the context of temporary licensing is:

1) A need for service to the shippers who filed statements of need in support of the application;

2) A need which is not being met because of one or more of the following:

A) There are no carriers licensed to provide the service;

B) Licensed carriers are not able to provide the service because of insufficient personnel, equipment, or facilities of the type needed;

C) Licensed carriers do not offer the needed service;



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- b) licensed-carriers-have-not-actively-solicited the-traffic-within-the-preceding-12-months; or
- e) licensed-carriers-have-within-the-preceding 12-months,-been-requested-to-provide-the needed-service-but-have-failed-to-do-so;
- 3) A-condition-requiring-transportation-service before-consideration-of-an-application-for-a permanent-motor-carrier-of-property-license-could be-concluded;-and
- 4) A-condition-not-caused-by-the-applicant-or supporting-shipper(s)-through-failure-to-file-an application-promptly-after-becoming-aware-of-the need;
- c) Applications-for-temporary-motor-carrier-of-property licenses-which-do-not-meet-the-requirements-of-this Section-shall-be-denied;
- d) Applications-for-temporary-motor-carriers-of-property licenses-shall-be-granted-if:
- 1) the-application-shows-an-urgent-and-immediate-need for-the-proposed-service-in-accordance-with subsection-(b);
- 2) the-application-states-that-the-applicant-will provide-service-under-the-license-in-compliance with-the-law-and-Commission-regulations-and orders;
- 3) the-application-shows-that-the-applicant-meets-the requirements-of-Section-18c-4204(a)-of-the-law (111-Rev-Stat-1985-chr-95-1/27-part-18c-4204(a));
- 4) the-applicant-was-not-previously-denied-a-license on-grounds-of-fitness;-and
- 5) the-applicant-was-not-the-holder-of-a-license which-was-suspended-or-revoked-and-has-not-been reinstated;
- a) Public notice of application for temporary authority shall be published in the official state newspaper and the Certificate of Publication must be received by the

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- Commission no more than 30 days after the application has been filed. The published notice must include the docket number assigned to the application by the Commission.
- b) An application for temporary authority cannot be filed unless an application for permanent authority has been filed or is filed concurrently with the application for temporary authority.
- c) Applications for temporary authority must also be accompanied by the following:
- 1) the required fee specified in 92 Ill. Adm. Code 1205; and
- 2) all Shipper Support Statements (Supporting Document SS).
- d) Applications received by the Commission which have not been completed or which are not in accordance with (b) and (c), above, shall be returned to the applicant.
- e) Temporary authority shall not be granted unless the application provides evidence that substantial economic harm will result to the supporting shipper or shippers if the temporary authority is not granted. In determining whether substantial economic harm will result the Commission shall consider:
- 1) the supporting shipper's ability to obtain the needed service from an existing carrier or carriers;
- 2) whether failure to grant the temporary authority will result in the shipper's loss of a customer or customers, or in a significant loss of business;
- 3) whether a layoff from the shipper's workforce will result if the temporary authority is not granted; and
- 4) any other factor(s) which is material and relevant.
- f) The commodities and territory requested in an application for temporary authority must be supported in the accompanying shipper statement or statements.



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g1 The applicant shall have 60 days from the issuance of the order granting a temporary authority to file the following with the Commission:

- 1) rates applicable to the full extent of the grant of temporary authority;
- 2) contracts, if a contract carrier;
- 3) proof of liability insurance, and any cargo and COD affidavits or bonds/insurance required; and
- 4) payment of franchise fees for each truck to be operated under the temporary authority.

h1 Failure to submit the above within the specified 60 day period will result in the order granting the temporary authority being vacated and the application being dismissed.

i1 A temporary authority shall be valid for 90 days after the service date of the order granting or denying permanent authority.

(Source: Amended at 15 Ill. Reg. 17568, effective December 1, 1991)

## Section 1202.50 Emergency Temporary Motor Carrier of Property License Applications

- a1 Applications for emergency temporary motor carrier of property licenses shall be granted if:
  - 1) The application shows an urgent and immediate public need for the proposed service in accordance with subsection (b);
  - 2) The application states that the applicant will provide service under the license in compliance with the law and Commission regulations and orders;
  - 3) The application shows that the applicant meets the requirements of Section 10c-4204 of the law;
  - 4) The application was not previously denied a license on grounds of fitness; and
  - 5) The applicant was not the holder of a license

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which was suspended or revoked and has not been reinstated.

- b1 An urgent and immediate public need in the context of emergency temporary licensing is:
  - 1) A need for service to the public generally, rather than a particular person, entity, or industry, or the applicant;
  - 2) A need which is not being met because of one or more factors set forth in Section 1202.40(b)(2);
  - 3) A condition caused by factors outside the control of both the applicant and those affected by the condition (e.g., storms, floods, epidemics); and
  - 4) A condition requiring transportation service before consideration of an application for a temporary motor carrier of property license could be concluded.
- c1 Where an urgent and immediate public need is found to exist, all applications which meet the requirements of subsections (a)(2), (3) and (4) shall be granted.
- d1 Applications for emergency temporary motor carrier of property licenses which do not meet the requirements of this Section shall be denied.
- e1 Applications for emergency temporary authority shall be filed on forms provided by the Commission and shall be accompanied by:
  - 1) the required fee specified in 92 Ill. Adm. Code 1205; and
  - 2) evidence that an urgent and immediate public need exists for the requested service.
- f1 Applications received which have not been completed or which are not accompanied by (1) and (2) above shall be returned to the applicant.
- g1 Applications for emergency temporary authority shall not be granted unless the application demonstrates that there is an urgent and immediate need for the authority requested. An urgent and immediate need shall exist if a natural disaster, or other circumstance, has created



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a need for transportation service which would not exist  
in the absence of such disaster or circumstance.

(Source: Amended at 15 Ill. Reg. 12568, effective December 1, 1991)

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- 1) The Heading of the Part: Motor Carrier of Property Fitness Standards
- 2) Code Citation: 92 Ill. Adm. Code 1304
- 3) Section numbers: 1304.10  
Adopted Action: Amended
- 4) Statutory Authority: Implementing Section 18c-4204a and authorized by Section 18c-1202 of The Illinois Commercial Transportation Law (Ill. Rev. Stat 1989, ch.95 1/2, par. 18c-1101 et seq.).
- 5) Effective Date of Amendment: December 1, 1991
- 6) Does this rulemaking contain an automatic repeal date? No.
- 7) Does this amendment contain incorporations by reference? No.
- 8) Date Filed in Agency's Principal Office: December 1, 1991
- 9) Notice of Proposal Published in Illinois Register: December 7, 1990, at 14 Ill. Reg. 19104
- 10) Has JCAR issued a Statement of Objections to this amendment? No.
- 11) Difference(s) between proposal and final version:  
In the underscored language added to subsection (f) the word "sought" has been changed to "required".  
In subsection (g) the words "is currently, or" have been inserted in the last sentence.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes.
- 13) Will this amendment replace an emergency amendment currently in effect? No.
- 14) Are there any amendments pending on this Part? No.
- 15) Summary and Purpose of Amendments:



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This rulemaking establishes additional administrative standards for an applicant to meet when seeking a grant of new, extended or temporary authority. Primarily, the rule establishes standards for determining whether a public need has been demonstrated which would warrant the issuance of authority and addresses such issues as the level of shipper support for the application, and whether the applicant has provided an accurate assessment of his future earnings as stated on his statement of financial fitness.

- 16) Information and questions regarding this adopted amendment shall be directed to:

Kathy Lynch  
Illinois Commerce Commission  
527 East Capitol Avenue  
P.O. Box 19280  
Springfield, IL 62794-9280

The full text of the Adopted Amendment begins on the next page:

TITLE 92: TRANSPORTATION  
CHAPTER III: ILLINOIS COMMERCE COMMISSION  
SUBCHAPTER b: MOTOR CARRIERS OF PROPERTY

## PART 1304

## MOTOR CARRIER OF PROPERTY FITNESS STANDARDS

Section  
1304.10 Fitness Standards

AUTHORITY: Implementing Section 18c-4204a and authorized by Section 18c-1202 of the Illinois Commercial Transportation Law (Ill. Rev. Stat. 1989, ch. 95 1/2, pars. 18c-4204a and 18c-1202).

SOURCE: Adopted at 13 Ill. Reg. 4654, effective April 1, 1989; amended at 15 Ill. Reg. 17580, effective December 1, 1991.

Section 1304.10 Fitness Standards

The applicant shall present clear and convincing evidence by information contained in the application for authority, personal testimony, and testimony of supporting shippers, that fitness has been established for the issuance of the requested authority. In determining whether the applicant is fit to operate as an intrastate motor carrier of property, the Illinois Commerce Commission shall consider the following factors:

- a) Whether the applicant possesses, or can acquire, equipment and facilities of a type required for the transport of the commodities requested, at the shipment levels specified in the applicant's shipper support statements, as evidenced by a description, submitted with the application, of the equipment to be used by the applicant in the conduct of intrastate transportation (which shall include equipment which is currently owned by the applicant, leased by the applicant, or is to be otherwise acquired by the applicant);
  - b) Whether the applicant has established a safety, training, and maintenance program, including any policies regarding traffic citations issued against drivers and any refresher/remedial training courses required of drivers;
  - c) Safety record
- 1) The applicant's safety record as evidenced by a



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certification or record from the Bureau of Motor Carrier Safety of the United States Department of Transportation, the Illinois Department of Transportation, or the appropriate regulatory body of another state, setting forth:

- A) any motor carrier safety citations issued against the applicant during the three years preceding application; and
  - B) whether the file contains any record of any disciplinary action, taken or pending, during the three years preceding application;
- 2) The Commission will examine citations and disciplinary actions to determine whether a pattern of violations exists and to review the severity of the violations.

d) The conviction of the applicant of a crime punishable by death or imprisonment in excess of one year under the law under which he was convicted, or a crime involving dishonesty or false statement regardless of the punishment. The Commission will consider the type of crime, when the crime occurred, and the age of the applicant at the time of the incident.

e) For purposes of subsection (d) "applicant" shall mean proprietor(s), partners, or, in the case of a corporation, the directors, the corporate officers, and anyone holding in excess of 10% of the corporation's voting stock.

f) Financial condition of the applicant as represented by the completed financial statement (Supporting Document FIS, consisting of balance sheet and projected income statement) included with the application. Evidence will be required at hearing to corroborate the information provided in the financial statement with the information in the shipper support statements.

g) Whether the applicant is currently, or has been the subject of civil penalty action by the Commission. In determining whether to grant authority to an applicant who is currently, or has been the subject of prior civil penalty action the Commission shall consider:

- 1) whether the violations were knowing and willful;

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- 2) whether the violations caused economic harm to authorized carriers;
- 3) whether a pattern of violations exists;
- 4) the applicant's cooperation in resolving previous violations; and
- 5) whether the applicant is delinquent in paying a monetary settlement or civil penalty assessed by the Commission.

(Source: Amended at 15 Ill. Reg. 17580, effective December 1, 1991)



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- 1) The Heading of the Part: Alcohol and Drug Education Initiative
- 2) Code Citation: 23 Ill. Adm. Code 225
- 3) Section Number:

225.10	<u>Adopted Action:</u>
225.20	New Section
225.30	New Section
225.40	New Section
225.50	New Section
225.60	New Section
- 4) Statutory Authority: Ill. Rev. Stat. 1989, ch. 122, par. 2-3.93
- 5) Effective Date of Rules: November 20, 1991
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rule contain incorporations by reference? No
- 8) Date Filed in Agency's Principal Office: November 18, 1991
- 9) Notice of Proposal Published in Illinois Register: July 12, 1991, 15 Ill. Reg. 10265.
- 10) Has JCAR issued a Statement of Objections to these rules?  
No
- 11) Difference(s) between proposal and final version:  
No changes were requested by the Code Division or in response to public comments. The changes requested by the Joint Committee on Administrative Rules are as follows:  
Section 225.30(b)(1), added the phrase "pursuant to 23 Ill. Adm. Code 210.App. A";  
Section 225.30(c)(7)(L), added the phrase "Section 3 of the Educational Loan Default Act";  
Added Section 225.30(c)(8)(E), which reads, "Projected number of students to be served";

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- Section 225.30(d) became Section 225.30(c)(8)(F), with the phrase, "such subcontracts shall contain" being deleted;
- Sections 225.60(c), (d), and (g) became Sections 225.60(f), (c) and (d), respectively; and
- Section 225.60(f) was deleted.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR?  
Yes
  - 13) Will this rule replace an emergency rule currently in effect? No
  - 14) Are there any amendments pending on this Part? No
  - 15) Summary and Purpose of Rules:  
These proposed rules set forth the procedures necessary in applying for grants under the Alcohol and Drug Education Initiative. They describe who is eligible to apply and how funds will be allocated, as well as enumerate the various terms and conditions of receiving a grant under the program. Additionally, the proposed rules specify the type of information applicants must give the State Board in response to its Request for Proposals; they indicate the types of programs that will receive funding priority, and evaluation, budget, and subcontracting information. The proposed rules also contain the criteria and point values used to review applications and make grant awards.
  - 16) Information and questions regarding this adopted rule shall be directed to:

Name: J. Robert Sampson  
Address: Illinois State Board of Education  
100 North First Street  
Springfield, Illinois 62777  
Telephone: (217) 782-2826

The full text of the Adopted Rules begins on the next page:



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## TITLE 23: EDUCATION AND CULTURAL RESOURCES

## SUBTITLE A: EDUCATION

## CHAPTER I: STATE BOARD OF EDUCATION

## SUBCHAPTER e: INSTRUCTION

## PART 225

## ALCOHOL AND DRUG EDUCATION INITIATIVE

## Section

225.10

Purpose

225.20

Eligible Applicants

225.30

Application Procedure and Content

225.40

Proposal Review and Approval Criteria

225.50

Allocation of Funds

225.60

Terms of Grant

AUTHORITY: Implementing and authorized by Section 2-3.93 of the School Code (Ill. Rev. Stat. 1989, ch. 122, par. 2-3.93).

SOURCE: Adopted at 15 Ill. Reg. 17585, effective

Nov. 20, 1991.

## Section 225.10 Purpose

These rules establish the procedure and criteria for approval of applications submitted to the State Board of Education by eligible applicants for grants to assist in establishing alcohol and drug education initiative projects designed to develop drug-free community planning and implementation strategies and staff development activities and to purchase software and curriculum materials as authorized in Section 2-3.93 of the School Code (Ill. Rev. Stat. 1989, ch. 122, par. 2-3.93).

## Section 225.20 Eligible Applicants

Proposals for grant awards under Section 2-3.93 of the School Code may be submitted by public school districts.

- a) If a joint application is submitted, then an administrative agent shall be designated, and the superintendent from each of the participating districts shall sign the application.
- b) Applicants who propose to use a subcontractor shall provide the information required by Section 225.30(c)(8).

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## Section 225.30 Application Procedure and Content

It is the intention of the State Board of Education to provide discretionary grants to eligible applicants on a year-to-year basis. Funding for future projects, i.e., those projects funded after their initial grant year, shall be contingent upon availability of funds for the initiative. Consideration shall be given to all applicants pursuant to Section 225.40 regardless of previous participation in the drug and alcohol education initiative.

- a) The State Board of Education will issue a Request for Proposals (RFP) specifying the information which applicants must include in their proposals, and requiring that proposals be submitted to the State Board of Education no later than the date specified in the RFP. The RFP shall provide at least forty-five (45) calendar days in which to submit proposals. No fax copies will be accepted.
- b) Priority for funding shall be given to projects which focus upon improvement of the curriculum, instructional programs, staff development or school policy development. Higher priority shall be given to project proposals that contain the following elements.
  - 1) A drug abuse prevention instructional model with appropriate curriculum materials (e.g., sequential, age-appropriate instruction in development of self-esteem, communication, decision-making, resistance skills and other areas of critical thinking) as part of a comprehensive health education program in grades K through 12 that allows integration across grade levels and in other areas of learning (i.e., addresses the Illinois State Goals for Learning in Physical Development and Health pursuant to 23 Ill. Adm. Code 210.App. A and/or other fundamental learning areas as defined in Section 27-1 of the School Code).
  - 2) An effective teacher training program that includes curriculum selection or development and strategies for working with community agencies.
  - 3) A school and community partnership to study and recommend drug use prevention policies for use by schools and communities.



- 4)

Prevention strategies that focus on primary prevention (i.e., activities to educate students about drug use, promote self-esteem and strengthen resistance skills) and secondary prevention (i.e., strategies for identification and remediation of at-risk students).
- c)

Each proposal shall provide the following information:
- 1)

An abstract of the proposal (not more than 200 words).
- 2)

Comprehensive Planning  
The applicant shall describe specific proposed efforts to use school, social service agency, business, and other regional and local community services to the extent their use is practicable. The applicant shall list all individuals involved in planning the proposed alcohol and drug education initiative, identify the organization, agency or group each represents, and describe the nature and extent of that individual's involvement.
- 3)

Needs Assessment  
The applicant shall describe the students' need for the proposed project and document that need with current statistical and/or descriptive information.
- 4)

Objectives and Activities  
A statement of the project's objectives and activities in relation to the needs identified in subsection (3) shall be stated in measurable terms. Applicants shall submit activity statements (program goals along with specific objectives and activities), which shall include:  
A) What will be done;  
B) When each activity will be implemented and completed;  
C) Who will conduct each activity; and
- 5)

Evaluation Design  
A) Formative Evaluation  
The applicant shall describe the evaluation process for determining whether progress is being made toward achieving its project objectives.  
B) Summative Evaluation  
The applicant shall describe the evaluation process for determining the success of the project. The evaluation shall be designed so that it will report the degree to which the project completed its proposed objectives; document the services provided; and include descriptive statistics, such as the number served and the resources used.
- 6)

Budget/Fiscal Information  
The budget summary and payment schedule must be completed on the form provided in the RFP. A budget breakdown, i.e., a detailed explanation of each line item of expenditure, also shall be provided.  
Certification and Assurances  
The applicant shall submit the certification and assurances form attesting to the following:  
A) The applicant has the necessary legal authority to apply for and to receive the proposed grant. The filing of the application has been authorized by the governing body of the applicant, and the applicant's representative has been duly authorized to file the application, and to otherwise act as the authorized representative of the applicant in connection with the application and any award in relation thereto.  
B) The activities and services for which assistance is sought under the program will
- 7)



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be administered by or under the supervision of the applicant in accordance with the laws and regulations applicable to the contract. No subcontractors will be used except as stated in the application.

C) In planning the program proposed in the application, there has been, and in establishing and carrying out the program, there will be (to the extent applicable to the program) participation of persons broadly representative of the cultural and educational resources of the area to be served, including persons representative of the interests of potential beneficiaries.

D) All funds provided shall be used for the purposes stated in the approved proposal.

E) The applicant understands that payment for approved services and expenses will be made on a reimbursement-of-claims basis, and that payment will be made in accordance with the applicable statutes, regulations and standards after an application for payment is submitted to the State Board of Education.

F) The applicant will maintain records on program and fiscal activities related to each award for a period of three (3) years for a state-funded program, and five (5) years for a federally funded program, following the end of each award period. Such records shall include a fiscal accounting for all monies in accordance with generally accepted governmental accounting principles. The State Board of Education shall have the right to inspect the applicant's records for auditing and monitoring purposes. If there are outstanding audit exceptions, then records will be retained on file until such exceptions are closed out to the satisfaction of the State Board of Education.

G) All rights, including copyright, to data, information, and/or other materials developed pursuant to an award are retained by the State Board of Education, unless otherwise agreed in writing by the State Board of

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Education. All such work products produced by the applicant through work pursuant to the award shall be made available to the State Board of Education upon request.

H) The applicant will obey all laws, regulations, and executive orders prohibiting discrimination on the basis of race, color, national origin, sex, age, or handicap, and all other laws, regulations, and executive orders applicable to its activities, including but not limited to the School Code (Ill. Rev. Stat. 1989, ch. 122, par. 1-1 et seq.), Title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.), the Illinois Human Rights Act (Ill. Rev. Stat. 1989, ch. 68, par. 1-101 et seq.), the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.), the Age Discrimination in Employment Act of 1967 (29 U.S.C. 621 et seq.), Titles VI and VII of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq., 2000e et seq.), the Public Works Employment Discrimination Act (Ill. Rev. Stat. 1989, ch. 29, par. 16.9 et seq.), and the Americans with Disabilities Act of 1990 (Public Law 101-336).

I) The applicant is not barred from entering into a contract by Section 33E-3 or 33E-4 of the Criminal Code of 1961 (Ill. Rev. Stat. 1989, ch. 38, pars. 33E-3, 33E-4).

J) The applicant is not barred from entering into a contract by Section 10.1 of the Illinois Purchasing Act (Ill. Rev. Stat. 1989, ch. 127, par. 132-10.1).

K) The applicant is not barred from entering into a contract by Section 11.1 of the Illinois Purchasing Act (Ill. Rev. Stat. 1989, ch. 127, par. 132-11.1).

L) If the applicant is an individual, then the applicant is not in default on an educational loan as provided in Section 3 of the Educational Loan Default Act (Ill. Rev. Stat. 1989, ch. 127, par. 3553).



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## 8) Subcontracting

The applicant may subcontract to implement the program; however, all program responsibilities are to be retained by the applicant to ensure compliance with the terms and conditions of the grant. All subcontracting shall be documented and have the prior approval of the State Superintendent of Education. Approval of subcontracts shall be subject to the same criteria as are applied to the original project application. The following information is required if any subcontracting is used:

- A) Name and address of subcontractor(s).
- B) Need/purpose for subcontracting.
- C) Measurable and time-specific services to be provided.
- D) Associated costs, i.e., amounts, including the total, to be paid for services specified in the subcontract.
- E) Projected number of students to be served.
- F) Specific provisions limiting the delivery of goods and services under them to those authorized under the terms of the grant award issued by the State Board of Education to the eligible applicant.

## Section 225.40 Proposal Review and Approval Criteria

Proposals submitted in response to the Request for Proposals shall be evaluated in the following manner and in accordance with the criteria set forth in subsection (c).

- a) Information contained in proposals submitted in accordance with Section 225.30(c) shall be reviewed by State Board of Education staff to determine that the information demonstrates compliance with Section 2-3.93 of the School Code and this Part.
- b) If the proposal is incomplete, then State Board staff shall send a written notice to applicants requesting that they supply the needed information. Such

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applicants shall supply the requested information within thirty (30) calendar days of said notice.

- c) Complete alcohol and drug education initiative project applications shall be reviewed and rank ordered by State Board staff and selected professionals from the drug use prevention and education fields in Illinois on the basis of the following criteria and points:

- 1) The extent to which the proposal contains specific objectives, corresponding activities, and an evaluation design which meet requirements specified in the Request for Proposals (60 points).
- 2) The extent to which the proposal demonstrates collaborative planning as evidenced by the inclusion of a variety of school staff members, parents, business and industry leaders, and community representatives to develop a school and community drug-free plan and assist in the implementation of that plan (15 points).
- 3) The proposal contains a statement of need for the project based upon analysis of relevant data concerning the persons/communities to be served (15 points).
- 4) The proposed budget is cost-effective in relation to the proposed activities and objectives (10 points).

- d) The State Superintendent of Education will make final determinations in accordance with the criteria stated in subsection (c).

## Section 225.50 Allocation of Funds

The State Superintendent of Education shall determine the amount of individual grant awards on the basis of the following criteria. The final award amounts will be based on these criteria following negotiations with the grant recipient:

- a) the total funds appropriated for alcohol and drug education initiative projects;
- b) the program needs, resources, and amounts requested in the top-ranked proposals determined pursuant to Section 225.40; and



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- c) the need to assure delivery of alcohol and drug education and prevention programs on a statewide basis and in a manner that will have the greatest impact in preventing alcohol and drug use.

## Section 225.60 Terms of the Grant

- a) All grants issued under this Part shall be governed by the Illinois Grant Funds Recovery Act (Ill. Rev. Stat. 1989, ch. 127, par. 2301 et seq.).
- b) The time period of the grant shall run from September 1 of the calendar year or from a date to be negotiated through August 31 of the following calendar year.
- c) A negotiated and finalized proposal returned to the applicant, with an authorized signature affixed to the cover page, will constitute an approved agreement with the State Board of Education. This notification will be made not later than forty-five (45) calendar days after the amount of the negotiated budget for the applicant's project is determined.
- d) Recipients of grant awards shall maintain records on program and fiscal activities for a period of three years following the end of the grant period; however, if there are outstanding audit exceptions, then records shall be retained until such exceptions are closed out to the satisfaction of the State Board of Education. Such records include fiscal accounting for all monies in accordance with 23 Ill. Adm. Code 110 (Program Accounting Manual) and the final report specified in subsection (f). An audit report which includes a certified opinion and statement of receipts and disbursements compared to the approved budget shall be submitted to the State Board no later than forty-five (45) days after the end of the contract period.
- e) Payments from the State Board of Education to grantees shall be made according to a negotiated payment schedule. Initial payment shall not exceed 50 percent of the project budget. Amounts projected for each month are expected to be a reflection of need for that month and not simply the total budget divided by the number of months in the project. Following negotiations, contract budgets may be amended by completing an amendment to the budget summary and payment schedule form and attaching supplementary

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documentation showing variances and justifications. A budget amendment is necessary whenever an approved individual line item changes by more than \$500 or 10 percent (whichever is larger) from the approved budget. Changes will be approved if the proposed distribution of resources or activities would have been approvable within the original application.

- f) Successful applicants shall submit a final report specifying:

- 1) the extent to which project objectives have been accomplished;
- 2) prevention services provided;
- 3) resources utilized; and
- 4) any similar program-related information that the State Superintendent of Education may request upon 30 days' written notice.



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- 1) The Heading of the Part: Secular Textbook Loan
- 2) Code Citation: 23 Ill. Adm. Code 350
- 3) Section Number:

350.10	<u>Adopted Action:</u>
350.15	Amended
350.20	New Section
350.25	Repealed
350.30	New Section
	Repealed
- 4) Statutory Authority: Ill. Rev. Stat. 1989 and 1990 Supp., ch. 122, par. 18-17.
- 5) Effective Date of Amendments: November 20, 1991
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this amendment contain incorporations by reference? No
- 8) Date Filed in Agency's Principal Office: November 18, 1991
- 9) Notice of Proposal Published in Illinois Register: June 28, 1991, 15 Ill. Reg. 9250.
- 10) Has JCAR issued a Statement of Objections to this (these) rule(s)? No
- 11) Difference(s) between proposal and final version:  

No changes were requested by the Code Division, or made in response to public comments. The changes requested by the Joint Committee on Administrative Rules are as follows:

Authority note, the phrase, "and 1990 Supp.", was added;

Section 350.15(b), the last sentence was changed to read, "The form also shall contain the name and location of the school and the date of the student's transfer or graduation, and shall be signed by the person (student, parent) making the request";

Section 350.15(j), 350.20(b)(2) and 350.20(c)(3), the word "of" was substituted with the word "after";

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- Section 350.25(b)(1), a comma was placed after the word "Education";
- Section 350.25(b)(3), the comma was deleted after the phrase "subsection (2)" and the "d" was capitalized in the word "Director."
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR?  
Yes
- 13) Will this amendment replace an emergency amendment currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Amendments:  

These proposed amendments repeal Sections 350.20 and 350.30 and add two new Sections 350.15 and 350.25. The two new sections better reflect the way the program now operates and reorganize the program administration into two components: acquisition of textbooks and disposal of textbooks.

Additionally, a requirement found in Section 350.20(b) that textbook request forms be retained by schools for three years after the student leaves has been eliminated, since the regional superintendent also must retain these request forms. This recommendation was made by the Superintendent's Rules Advisory Committee.

Finally, new Section 350.25 spells out steps nonpublic schools or school districts must take before they can dispose of textbooks on loan to them, a section necessitated by the passage of P.A. 86-1288.
- 16) Information and questions regarding these adopted amendments shall be directed to:  

Name:	William E. Lohman
Address:	Illinois State Board of Education 100 North First Street Springfield, Illinois 62777
Telephone:	(217) 782-9374

The full text of the Adopted Amendments begins on the next page:



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## TITLE 23: EDUCATION AND CULTURAL RESOURCES

## SUBTITLE A: EDUCATION

## CHAPTER I: STATE BOARD OF EDUCATION

## SUBCHAPTER j: TEXTBOOKS

## PART 350

## SECULAR TEXTBOOK LOAN

## Section

- 350.10 Definition of Terms
- 350.15 Acquisition Procedures
- 350.20 Administrative Practices (Repealed)
- 350.25 Disposition Procedures
- 350.30 Fiscal Procedures (Repealed)

**AUTHORITY:** Implementing and authorized by Section 18-17 of the School Code (Ill. Rev. Stat. 1989 and 1990 Supp., ch. 122, par. 18-17).

**SOURCE:** Adopted September 27, 1976; amended at 2 Ill. Reg. 27, p. 163, effective June 27, 1978; amended at 4 Ill. Reg. 37, p. 770, effective September 6, 1980; codified at 7 Ill. Reg. 13870; amended at 8 Ill. Reg. 2462, effective February 15, 1984; amended at 15 Ill. Reg. 17597, effective Nov. 20, 1991.

**NOTE:** Capitalization denotes statutory language.

## Section 350.10 Definition of Terms

"~~Eligible~~ Student" means ANY STUDENT IN THIS STATE WHO IS ENROLLED IN GRADES KINDERGARTEN THROUGH 12 AT A PUBLIC SCHOOL OR AT A SCHOOL OTHER THAN A PUBLIC SCHOOL WHICH IS IN COMPLIANCE WITH THE COMPULSORY ATTENDANCE LAWS OF THIS STATE AND TITLE VI OF THE CIVIL RIGHTS ACT OF 1964.

"Nonpublic School" means A SCHOOL OTHER THAN A PUBLIC SCHOOL WHICH IS IN COMPLIANCE WITH THE COMPULSORY ATTENDANCE LAWS OF THIS STATE AND TITLE VI OF THE CIVIL RIGHTS ACT OF 1964.

"Parent" means a parent, ~~legal~~ or guardian ~~or person standing in place of the parent~~ of a child enrolled in a public or nonpublic school.

"School Administrator" means the superintendent of a school district or the chief administrative officer of a nonpublic school.

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"School District" means a public school district in the State of Illinois.

"Secular Textbook" means ANY BOOK OR BOOK SUBSTITUTE WHICH A PUPIL USES AS A TEXT OR TEXT SUBSTITUTE IN A PARTICULAR CLASS OR PROGRAM. IT IS LIMITED TO BOOKS, REUSABLE WORKBOOKS, AND MANUALS, WHETHER BOUND OR IN LOOSE-LEAF FORM, INTENDED AS A PRINCIPAL SOURCE OF STUDY MATERIAL FOR A GIVEN CLASS OR GROUP OF STUDENTS, A COPY OF WHICH IS EXPECTED TO BE AVAILABLE FOR EACH PUPIL IN SUCH CLASS OR GROUP.

(Source: Amended at 15 Ill. Reg. 17597, effective Nov. 20, 1991.)

## Section 350.15 Acquisition Procedures

a) Students shall not be assessed a fee for any textbook provided under the Secular Textbook Loan Program.

b) Public and nonpublic schools registered with the State Board of Education shall provide parents with a brief written explanation of the textbook loan program in a student handbook, newsletter, flyer or by similar means. A parent or student then must request the loan of a secular textbook(s) through completion of an individual student request form at the public or nonpublic school where the student is in attendance. The Illinois State Board of Education does not provide individual student request forms; however, said individual request shall contain the following language: "I hereby request the loan of secular textbooks in accordance with Section 18-17 of the School Code. I understand that this request will remain valid so long as my son/daughter is enrolled in (name of school) and that I may at any time withdraw this request." The form also shall contain the name and location of the school and the date of the student's transfer or graduation, and shall be signed by the person (student, parent) making the request.

c) Requested textbooks shall be those which have been adopted for use in the district and which are listed in the Illinois Textbook Loan Program publication. The State Board of Education revises this publication annually to update the list of textbooks which are available under the textbook loan program. Textbook publishers shall provide the State Board of Education with any new listing or changes in their listings by July 15 of each year. No listing or changes in



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listings submitted after September 30 will be accepted for publication in the Illinois Textbook Loan Program publication.

- d) The State Board of Education shall distribute its Textbook Request Forms (to be completed by schools) and Illinois Textbook Loan Program publication to the Regional Superintendents in January of each year. This information shall then be distributed by the Regional Superintendents to each public and nonpublic school in their respective educational service regions.

- e) Textbook requests shall be compiled by the school administrator and listed on the Textbook Request Form. The request for textbooks for each school shall list selections numbered in descending order of priority for each grade level. The school administrator's signature on the Textbook Request Form shall certify compliance with Section 18-17 of the School Code and this part and that the students are enrolled in the school(s) and grade(s) indicated on the form. The number of textbooks requested shall not exceed one book per student.

- f) Each school district and nonpublic school shall submit to the Regional Superintendent on or before March 15 its completed Textbook Request Form. The Regional Superintendent shall review and approve all Textbook Request Forms and forward them to the State Board of Education by March 31 upon determining that:

- 1) the number of individual textbook requests and the applicable grade level enrollment(s) listed on each form are the same; and
- 2) the information and signature required in subsection (e) have been provided.

- g) Forms that are not approved shall be returned to the school which submitted the form along with an explanation of why the form was not approved. The Regional Superintendent shall retain a copy of approved forms for three years.

- h) Textbook requests will be funded on the following basis:

- 1) If, in the previous year, a designated grade level was not completely funded, then funds will first

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be used to fill textbook requests from all schools and school districts that did not receive textbooks for that grade level; and

- 2) Textbook requests then will be funded statewide for each succeeding grade level (K-12), to the extent that appropriations are available.

- i) The State Board of Education will inform each Regional Superintendent by May 15 as to the specific textbooks which will be purchased.

- j) The school administrator shall confirm the quantity, titles and quality of textbooks received are the same as requested. Such confirmation shall be mailed to the State Board of Education within seven (7) days after receipt of the textbooks.

- k) All textbooks provided through the program shall be listed on an inventory maintained by the State Board of Education. Each school shall identify (stamp) each textbook received under the program as "property of the State of Illinois, School Year \_\_\_\_."

- l) Each school district or nonpublic school shall have procedures to assure the return of all textbooks from those to whom they have been loaned.

(Source: Added at 15 Ill. Reg. 17597, effective Nov. 20, 1991)

## Section 350.20 Administrative Practices [Repealed]

- a) In the event that insufficient funds are appropriated to provide for equitable participation of all eligible students, the distribution of textbooks shall be made in accordance with the level of funding in the following manner:

- 1) The request for textbooks for each school shall list selections numbered in descending order of priority for each grade level.
- 2) Textbook requests shall be honored beginning with the first selection at the kindergarten grade and then the first selection for each succeeding grade level through grade twelve; then the second priority selection shall be honored in this manner through grade twelve and so forth until the available funds are exhausted.



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- b) A parent or student must request the loan of a secular textbook(s) through completion of an individual student request form at the public or nonpublic school where the student is in attendance. Said individual request shall contain the following language: "I hereby request the loan of secular textbooks in accordance with Section 18-17 of the School Code. I understand that this request will remain valid so long as my son/daughter is enrolled in \_\_\_\_\_ (school) \_\_\_\_\_ and that I may at anytime withdraw this request." Each such school shall retain the individual parent or student request forms for three years after the student has left the school.
- e) Textbook requests shall be compiled by the school administrator and listed on the textbook request form provided by the State Board of Education. Textbooks listed shall be those which have been adopted for use in the school which the student attends and which are listed by the State Board of Education. The school administrator's signature on the Textbook Request Form shall indicate that the school or school district is in compliance with the law as described in Section 350-20(g). Said textbook request forms shall be forwarded to the Regional Superintendent's Office which in turn shall forward them to the State Board of Education.
- d) All textbooks purchased through funds appropriated for the program shall be listed on an inventory maintained by the State Board of Education. Each textbook shall be properly identified (stamped) as property of the State of Illinois, School Year \_\_\_\_.
- e) Textbooks loaned to students which a district or nonpublic school determines are unserviceable due to wear or adoption of new textbooks shall be disposed of in the following manner:
- 1) A list of unserviceable textbooks shall be reported to the State Board of Education giving the International Standard Book Number (ISBN), quantity, grade level, and title of the books.
  - 2) The State Board of Education shall attempt to relocate these textbooks to other schools within thirty (30) business days of receiving the list. If this effort is successful, the State Board will

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- make appropriate adjustments in the inventories of the sending and receiving schools and will notify all parties in writing.
- 3) The school board or nonpublic school will receive written authorization to dispose of unserviceable textbooks which the State Board of Education has been unable to reallocate to other schools.
  - f) Each local educational agency shall be responsible for the procedures necessary to assure the return of all textbooks.
  - g) The State Board of Education shall be responsible for the development and establishment of assurances and forms for participation in the program. Each public and nonpublic school shall provide the State Board of Education an assurance that the school conforms with Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000(d)-(e)-(f)) and the compulsory attendance laws, and that the school will comply with Section 18-17 of the School Code and with regulations and other policies and administrative practices of the State Board of Education including such reports as may be required.

(Source: Repealed at 15 Ill. Reg. 17597, effective Nov. 20, 1991)

## Section 350.25 Disposition Procedures

- a) LOANED TEXTBOOKS MAY NOT BE DISPOSED OF OUT-OF-STATE OR SOLD WITHOUT THE PRIOR APPROVAL OF THE STATE BOARD OF EDUCATION (Section 18-17 of the School Code) as provided in subsections (b) or (c).
- b) Disposition of Textbooks on Loan for Less than Five Years  
Textbooks on loan for less than five (5) years that a school district or nonpublic school determines to be unsuitable (e.g., elimination of program, wear, adoption of new textbooks) shall be disposed of in the following manner:
  - 1) A list of unsuitable textbooks shall be reported by mail to the State Board of Education, giving the International Standard Book Numbers (ISBN), quantity, grade level, and titles of the books.



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- 2) The State Board of Education shall attempt to relocate these textbooks to other Illinois schools within three (3) months after receiving the list by mail. Requests for these textbooks shall be honored on a first-come, first-served basis. Based on this effort, the State Board shall make appropriate notification to the sending and/or receiving schools and shall notify all parties in writing. Receiving schools shall be responsible for all transportation arrangements and for all costs incurred in the transportation of the textbooks from the sending school.

- 3) Textbooks which cannot be relocated to another Illinois school pursuant to subsection (2) may be disposed of pursuant to the exemption from the Illinois Property Control Act that has been granted by the Director of the Department of Central Management Services. A copy of the exemption will be provided to nonpublic schools and school districts that seek to dispose of textbooks pursuant to this subsection.

- c) Disposition of Textbooks on Loan for Five Years or More  
Textbooks on loan for five (5) or more years may be disposed of in such a manner as the school board or nonpublic school determines, including out-of-state disposal or sale, provided that:

- 1) The school administrator provides written notification to the State Board of Education of the school district's or nonpublic school's intent to dispose of the textbooks. Such notification shall:

- A) Provide a list of unsuitable textbooks, which shall be reported by mail to the State Board of Education giving the International Standard Book Numbers (ISBN), quantity, grade level, and titles of the books.
- B) Cite the proposed method for disposing of the textbooks.
- 2) Notification shall be sent to the State Board of Education by certified U.S. mail, return receipt requested.

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- 3) Textbooks shall not be disposed of less than 30 days following notification to the State Board. The date of delivery on the return receipt shall constitute the date of notification. If the State Board of Education identifies a disposition that better conserves public resources or better serves the interests of the public, then it shall, within 30 days after notification, arrange with the school to dispose of the books in some alternative manner. If the State Board of Education does not arrange such action within 30 days, then the school shall dispose of the books as indicated in the notice to the State Board of Education.

- 4) The school administrator shall notify the State Board in writing of the date and manner of final textbook disposition.

(Source: Added at 15 Ill. Reg. 17597, effective Nov. 20, 1991)

## Section 350.30 Fiscal Procedures (Repealed)

- a) The State Board of Education shall distribute the necessary information and application forms to the Regional Superintendent prior to their required submission.
- b) Each public school district and nonpublic school shall submit to the Regional Superintendent on or before March 15 a program application and list of textbook requests. The Regional Superintendent shall review and approve all program applications and lists of textbook requests in accordance with assurances found in Section 350-20(f) and forward to the State Board of Education by March 31. Said forms shall be retained for three years.
- e) The State Board of Education will inform each Regional Superintendent by April 30 as to the specific textbooks which will be purchased.
- d) The State Board of Education shall issue purchase orders for textbooks to be shipped directly to each school or school district. Payments to vendors shall be initiated upon confirmation to the State Board of Education by the school official that the textbooks have been received.

(Source: Repealed at 15 Ill. Reg. 17597, effective Nov. 20, 1991)



ILLINOIS HEALTH CARE COST CONTAINMENT COUNCIL

ILLINOIS HEALTH CARE COST CONTAINMENT COUNCIL

NOTICE OF ADOPTED AMENDMENT(S)

NOTICE OF ADOPTED AMENDMENT(S)

- 1) Heading of Part: Council Organization
- 2) Code Citation: 2 Ill. Adm. Code 2600
- 3) Section Numbers: Adopted Action:  
2600.130 Amendment  
2600.140 Amendment  
2600.200 Amendment
- 4) Statutory Authority: Implementing Article II and authorized by Section 2-3 of Article II of the Illinois Health Finance Reform Act (Ill. Rev. Stat. 1989, ch. 111 1/2, pars. 6502-1 et seq.).
- 5) Effective Date of Amendment: November 20, 1991.
- 6) Does this rulemaking contain an automatic repeal date? No.
- 7) Does this amendment contain incorporations by reference? No.
- 8) Date Filed in Agency's Principal Office: November 13, 1991.
- 9) Notice of Proposal Published in Illinois Register: Not Applicable.
- 10) Has JCAR issued a Statement of Objections to this Rule? No.
- 11) Difference between proposal and final version: Not Applicable.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Not Applicable.
- 13) Will this amendment replace an emergency amendment currently in effect? No.
- 14) Are there any amendments pending on this Part? No.
- 15) Summary and Purpose of Amendment: The amendments provide for offices in Chicago and Springfield, organization of the Council and duties of the Executive Director.

- 16) Information and questions regarding this adopted amendment shall be directed to:

John Noak  
516 East Monroe Street  
Suite 200  
Springfield, Illinois - 62701  
(217) 785-8477

The full text of the Adopted Amendments begin on the next page.



## ILLINOIS HEALTH CARE COST CONTAINMENT COUNCIL

## NOTICE OF ADOPTED AMENDMENT(S)

TITLE 2: GOVERNMENTAL ORGANIZATION  
SUBTITLE E: MISCELLANEOUS STATE AGENCIES  
CHAPTER XLV: ILLINOIS HEALTH CARE COST CONTAINMENT COUNCILPART 2600  
COUNCIL ORGANIZATION

Section	Members
2600.10	Appointment
2600.20	Representation
2600.30	Officers
2300.40	Chairman and Vice-Chairman
2600.50	Secretary
2600.60	Quorum
2600.70	Compensation
2600.80	Reimbursement
2600.90	Official Business
2600.100	Rules of Order
2600.110	Committees
2600.120	Council Offices and Business Hours
2600.130	Organization
2600.140	Employment of Executive Director
2600.150	Qualifications
2600.160	Fiduciary Obligations
2600.170	Material Financial Interest
2600.180	Chief Operating Officer
2600.190	Duties of the Executive Officer
2600.200	Delegation
2600.210	Agenda
2600.220	Litigation
2600.230	Disclosure by Independent Contractors
2600.240	Form of Disclosure
2600.250	Possible Conflict of Interest
2600.260	APPENDIX A

## AFFIDAVIT OF ECONOMIC INTERESTS IN HEALTH CARE

## ILLINOIS HEALTH CARE COST CONTAINMENT COUNCIL

## NOTICE OF ADOPTED AMENDMENT(S)

**AUTHORITY:** Implementing Article II and authorized by Section 2-3 of Article II of the Illinois Health Finance Reform Act (Ill. Rev. Stat. 1985 1989, ch. 111 1/2, par. 6502-1 et seq.)

**SOURCE:** Adopted at 10 Ill. Reg. 8738, effective May 15, 1986; amended at 15 Ill. Reg. 17607, effective November 20, 1991.

## Section 2600.130 Council Offices and Business Hours

a) The principal office of the Illinois Health Care Cost Containment Council ("the Council") is located at 546 E. Monroe, Suite 200, Springfield, Illinois 62701, telephone (217) 795-8477 and shall open each day, except Saturdays, Sundays and State legal holidays, from 8:30 a.m. to 5:00 p.m.

a) The Illinois Health Care Cost Containment Council ("the Council") shall maintain two offices: one office to be located in Chicago, Illinois and the second in Springfield, Illinois.

b) A branch office of the Council is located at 488 W. Randolph, Suite 1518, Chicago, Illinois 60604, telephone (312) 793-1440 and shall be open each day except Saturdays, Sundays and State legal holidays, from 8:30 a.m. to 5:00 p.m.

b) Each office shall be open each day except Saturdays, Sundays and State legal holidays, from 8:30 a.m. to 5:00 p.m.

c) However, at any time, the offices of the Council may be kept open such additional time as the Council or the Executive Director shall deem necessary to carry out the Council's duties.

(Source: Amended at 15 Ill. Reg. 17607, effective November 20, 1991)

## Section 2600.140 Organization

The organization of the Council shall be as follows:

## COUNCIL



ILLINOIS HEALTH CARE COST CONTAINMENT COUNCIL

ILLINOIS HEALTH CARE COST CONTAINMENT COUNCIL

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(seven members appointed  
by Governor)

EXECUTIVE DIRECTOR

HEALTH CARE  
CONSUMER AFFAIRS  
ADVISOR

SPRINGFIELD  
OFFICE

CHICAGO  
OFFICE

Ass't Director for  
Administration

Ass't Director for  
Management  
Information Systems

Ass't Director for  
Public Information

The organization of the Council staff shall be determined by the Executive Director with the approval of the Council. As necessary but at least annually, the Executive Director shall review and recommend revisions of organization of the Council staff. Upon approval by the Council, the staff organization shall become effective and shall remain in place until revised at a later date by the Executive Director with approval of the Council.

(Source: Amended at 15 Ill. Reg. 17607, effective November 20, 1991)

Section 2600.200 Duties of the Executive Director

- a) The Executive Director shall develop the duties of the staff, direct its the agency's activities ~~from its Springfield office~~ and perform such other duties and functions as may be required by the Council and as are expressed in the operating rules and procedures adopted and as amended from time to time by the Council.

- b) The Executive Director shall also have chief responsibility for primary external liaison to all interested persons and groups relating to the implementation of the Act and the policies of the Council.
- c) The Executive Director is responsible for all administrative matters within the Council: personnel, budgeting and fiscal planning, financial statements, purchasing, fee collection, annual financial reports, annual goals and objectives statements, and compliance with all state government operational requirements.
- d) In particular, the Executive Director shall, on behalf of the Council, have responsibility and commensurate authority to perform duties, including but not limited to, the following:
- 1) provide staff and administrative services, either directly or through the use of outside contractors, for the Council. Responsibility for dismissal of Council staff is that of the Executive Director.;
  - 2) prepare annual operating budgets for Council approval;
  - 3) report periodically to the Council, both at and between meetings, on all aspects of the operation of the Council, including the following:
    - A) Key matters relating to the development of the data system, including relations with outside consulting firms; and the status of legislative and state agency relations;
    - B) Relationships with health care industry groups, including the Illinois Hospital Association and relevant payors;
    - C) Updating Council members on progress toward its major objectives and staff progress/evaluation;
    - D) Providing regular briefings of Council members on agenda items prior to scheduled public meetings; and
    - E) Financial reporting on the status and details of expenditures against the Council's fiscal year appropriation.



## ILLINOIS HEALTH CARE COST CONTAINMENT COUNCIL

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- 4) recommend to the Council those policy and procedural options necessary to implement the provisions of the Act;
- 5) execute and administer the data collection program in accordance with the Council policies, procedures and directives;
- 6) plan, with the Chairman, all meetings of the Council;
- 7) maintain all records, files and reports required by the Council;
- 8) prepare and submit for review by the Council the reports required of the Council, including interim and final reports to the Governor and members of the General Assembly;
- 9) as the agent of the Council, execute all contracts and agreements to which the Council is a party; provided, however, that any such contract or agreement which may require payment by the Council of an amount in excess of \$5,000.00 in the aggregate must be approved by the Council and signed by both the Chairman and the Executive Director;
- 10) represent the Council whenever necessary; and
- 11) perform other duties and exercise other authorities as directed by the Council.

(Source: Amended at 15 Ill. Reg. 17607, effective November 20, 1991)

## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED RULES

- |                                |                        |
|--------------------------------|------------------------|
| 1) <u>Heading of the Part:</u> | Groundwater Quality    |
| 2) <u>Code Citation:</u>       | 35 Ill. Adm. Code 620  |
| 3) <u>Section Numbers:</u>     | <u>Adopted Action:</u> |
| 620.105                        | New Section            |
| 620.110                        | New Section            |
| 620.115                        | New Section            |
| 620.125                        | New Section            |
| 620.130                        | New Section            |
| 620.135                        | New Section            |
| 620.201                        | New Section            |
| 620.210                        | New Section            |
| 620.220                        | New Section            |
| 620.230                        | New Section            |
| 620.240                        | New Section            |
| 620.250                        | New Section            |
| 620.260                        | New Section            |
| 620.301                        | New Section            |
| 620.302                        | New Section            |
| 620.305                        | New Section            |
| 620.310                        | New Section            |
| 620.401                        | New Section            |
| 620.405                        | New Section            |
| 620.410                        | New Section            |
| 620.420                        | New Section            |
| 620.430                        | New Section            |
| 620.440                        | New Section            |
| 620.450                        | New Section            |
| 620.505                        | New Section            |
| 620.510                        | New Section            |
| 620.601                        | New Section            |
| 620.605                        | New Section            |
| 620.610                        | New Section            |
| 620.615                        | New Section            |
| 620. Appendix A                | New Section            |
| 620. Appendix B                | New Section            |
| 620. Appendix C                | New Section            |
| 620. Appendix D                | New Section            |
- 4) Statutory Authority: Ill. Rev. Stat. 1989, ch. 111½, pars. 1013, and 1027.
  - 5) Effective Date of Rule: November 25, 1991
  - 6) Does this rulemaking contain an automatic repeal date?: No



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- 7) Does this Rule contain incorporations by reference? Yes
- 8) Date filed in Board's Principal Office: November 7, 1991
- 9) Notice of Proposal Published in Illinois Register:  
March 22, 1991, 15 Ill. Reg. 4234
- 10) Has JCAR issued a Statement of Objections to these rules?  
No
- 11) Differences between proposal and final version:

There are a number of nonsubstantive typographical and grammatical corrections which the Board made during first notice and at the recommendation of JCAR.

The Board made other changes during first notice as follows:

The incorporations by reference at Section 620.125 and wherever these documents are used in the rules have been updated.

The first two lines of the definition of detection has been changed.

The words "facility or unit" have been added to the definition of owner.

The definitions for "potential primary source" and "potential route" have been restructured; the words and meanings remain the same.

The definition of "site" has been replaced with the statutory definition for the word.

In section 620.135, the word "underground" was added in the first line before the word "waters".

For section 620.210(a)(4), new material has been added to further clarify the requirement of capability of geologic material to yield groundwater, and a Board note was added regarding the thickness associated with the geologic materials.

Section 620.230 was restructured and new material was added to include groundwater that contributes to a dedicated nature preserve.

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A new subsection (b) was added to section 620.240 to include groundwater within a point of compliance not more than 200 feet from a potential primary or secondary source. With the addition of the new subsection (b), the other subsections following were renumbered. The text of subsection (e), formerly subsection (d) was changed to clarify the description of groundwater contaminated from a release included in this class. A new subsection (f) was added which covers groundwater which underlies a coal mine refuse disposal area. Related changes were also made to subsection (g) (formerly subsection (e)).

Changes were made to Section 620.250 to further clarify the groundwater management zone procedure.

New subsections (c) and (d) were added to Section 620.301 to include that the section does not limit Agency action involving permitted underground injection, and promulgation of nondegradation provisions for landfills and other facilities, as described in these subsections. The phrase "or a cumulative impact area within a permitted site", was added at the end of subsection (b).

In the title to section 620.302, the terms "notification limitations" were changed to "preventative notification". Subsection a) 1) was changed by the deletion of subsections (A), (B), and (C), and addition of the phrase "under Section 620.210 (a)(1), (a)(2), or (a), (3)" after the word "groundwater" in subsection (a)(1). A new subsection (c) was added which clarifies the applicability of sections 620.305 and 620.310 where corrective action is needed.

The title of section 620.305 was changed from "Notification Limitations and Procedures" to "Preventive Notification Procedures", and the term "preventive notification" replaces "notification limit" throughout the section. A new subsection (a)(1)(2) was added to include contaminants denoted as a carcinogen detected in class I groundwater.

Section 620.310 contains further changes for clarity and to reflect the change to use of the terms "preventive notification". The phrase "or are changes for pH" was added to subsection (a)(3)(A)(i), and the constituent "phenols" at criterion "0.001" mg/L was added. The constituent "benzene" was deleted from (a)(3)(A)(iii). A new subsection (a)(3)(A)(iv) was added regarding pH. Clarification of the basis of the appropriate regulatory agency's action was added to subsection (b). New conditions on the exceedance



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of contaminants listed in subsection (a) (3)(A) were included at (c)(1), (2), and (3).

Inorganic chemical constituents were added at 620.410, subsection (a) for Boron at 2 mg/L, Cobalt at 1 mg/L, Nickel at 0.1 mg/L, and Zinc at 5 mg/L. The standard for lead was changed from 0.05 to 0.0075. The phrase "\*\*denotes standards that apply only in aquifers" was deleted. Organic chemical constituents were added at 620.410(b) for phenols at 0.1 mg/L and the standard for polychlorinated biphenyls or PCB's was changed from 0.0005 to 0.005 mg/L. A new subsection (e) was added that includes standards for Beta Particle and Photon Radioactivity.

For Section 620.420, for subsection (a)(2), the phrase "within an aquifer which is 10 feet or more from the land surface" was deleted, and the phrase "in Class II groundwater" was added. Also at subsection (a)(2), the standard for copper was changed from 0.5 to 0.65 mg/L, and the standard for selenium was changed from 0.02 to 0.05 mg/L. In Subsection (a)(3), the phrase "For a site within the industrial property class, any concentration of an" was deleted, and the phrase "The standard for any" was added; clarification was made regarding the applicability of the standards for barium and pH to groundwater within fill material, and the applicability was changed from 5 to 10 feet of parent material. Subsections (B) and (C) were deleted from 620.420(a)(3), and changes made to (A) and a new (B) were added all dealing with fill material. The word "clean" was added before the words "earthen materials" in subsection (a)(4). For subsection (b), the standard for Heptachlor Epoxide was changed from 0.01 to 0.001 mg/L and for Lindane from 0.0002 to 0.001. For subsection (b)(2), the applicability for pesticide chemical constituents was changed to not apply within 10 feet of the land surface, rather than not apply within 5 feet of the land surface. The phrase "or the mature root zone, whichever is greater, but not to exceed 10 feet from the land surface" was deleted. Subsection (d) was changed to state that pH must not be exceeded within 5 feet of the land surface, rather than within 10 feet of the land surface.

For Section 620.430, the standard proposed at first notice was deleted and a new proposed standard was added, as noted below in the text to the rule.

For Section 620.440, the phrase "or (c)" was added to the first line of subsection (a). In subsection (b), the phrase

## POLLUTION CONTROL BOARD

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"for a permitted landfill", was deleted, and "as provided in 35 Ill. Adm. Code 811 and 814 was added; the word "discharged" was replaced with the word "released". For subsection (c), the phrase "or pH" was added after sulfates in lines 4 and 6.

For Section 620.450, the word "process" was replaced with "corrective action" in subsections (a)(3) and (4). The word "concentration" was replaced with "standard" in subsection (a)(4)(A) and in the third line of (B). In Subsection (a)(4)(B) the word "restoration" was deleted and the phrase "as determined by groundwater monitoring" was added. New subsections (a)(4)(B)(i) and (ii) were added to replace text deleted from subsection (a)(4). In subsection (a)(5) the word "restoration" and "as" were deleted. Subsections (A) and (B) were deleted from subsection (b)(1), and a new subsection (b)(3)(C) was added. New subsections (b)(4), (5), (6), and (7) were added.

For Section 620.505, the title of the Section was changed from "Compliance Procedures" to "Compliance Determination". For subsection (a)(2), the phrase "of such source" was deleted. The citation to 620.240(d) was changed to 620.240(e)(1). A new subsection (a)(3) was added and the following subsections renumbered to accommodate this change.

For 620.605(a)(3), the phrase "nationally accepted guidelines" was deleted, and the phrase "the procedures of Appendix A, B, or C." was added.

For 620.615(b), the phrase "level for such substances shall be determined" was deleted, and the phrase "procedure for evaluating the mixture of such substances is specified" was added.

For 620.605(a)(3), the term "(ADE/WH)" was deleted and "RSC" added to the formula.

For 620.605(b)(a), the phrase "determining the maximum amount" was deleted and the phrase "evaluating mixtures" was added.

The Board made the following changes pursuant to JCAR recommendations:

In Section 620.110, the phrase "unless otherwise provided" was deleted.



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The form cited in Section 620.250(a)(2) was appended to the rule in appendix D.

In Section 620.302(b)(1), the phrase "(e.g. Sections 106 and 107 of the Comprehensive Environmental Response, Compensation and Liability Act, (42 U.S.C. 9601, et seq.); Sections 3004 and 3008 of the Resource Conservation and Recovery Act, (42 U.S.C. 6901, et seq.); Sections 4(g), 4(v), 12(g), 21(d), 21(f), 22.2(f), 22.2(m), and 22.18 of the Act; 35 Ill. Adm. Code 724, 725, 730, 731, 750, 811, and 814.)" was added.

In Section 620.450(b)(3)(A)(ii), the phrase "62 Ill. Adm. Code 1780.21(f) and (g)" was added.

In Section 620.510(b)(1), the word "regulatory" was inserted after the word "appropriate".

In Section 620.601(b), the phrase "a site or source consistent with the siting and source water requirements of 35 Ill. Adm. Code 611.114 and 611.115" has replaced the phrase "best available source which is economically reasonable and technologically possible" as mandated under 35 Ill. Adm. Code 604.501(a)'.

In Section 620.Appendix A(c)(1)(iii), the word "approximately" was taken out and replaced with "at least 5%".

12) Have all the changes agreed upon by the Board and JCAR been made as indicated in the agreement letter issued by JCAR?  
Yes

13) Will this Rule replace an emergency Rule currently in effect? No

14) Are there any other amendments pending on this Part? No

15) Summary and Purpose of Rule:

These rules are adopted pursuant to Section 8 of the Illinois Groundwater Protection Act which requires the Board to promulgate water quality standards for groundwater. Items covered include the classification of groundwater, groundwater quality standards for groundwater as classified, preventive management procedures and correction action. A more detailed description is contained in the Board's opinion and order of November 7, 1991, in R89-14(B), which

## POLLUTION CONTROL BOARD

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is available from Dorothy M. Gunn, Clerk, Pollution Control Board, 100 W. Randolph St., Suite 11-500, Chicago, Illinois, 60601.

16) Information and questions regarding this adopted rule shall be directed to:

Michelle C. Dresdow  
Illinois Pollution Control Board  
P.O. Box 505  
DeKalb, IL 60115  
(815) 753-0947

The full text of the Adopted Rule begins on the next page:



## POLLUTION CONTROL BOARD

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 SUBTITLE F: PUBLIC WATER SUPPLIES  
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PART 620  
 GROUNDWATER QUALITY

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 Pursuant to 35 Ill. Adm. Code 620.250 (a)(2).

AUTHORITY: Implementing and authorized by Section 8 of the  
 Illinois Groundwater Protection Act (Ill. Rev. Stat. 1989, ch.  
 111 1/2, par. 7458).

SOURCE: Adopted in R89-14(B) at 15 Ill. Reg., 17614,  
 effective November 25, 1991.

NOTE: Capitalization denotes statutory language.



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## SUBPART A: GENERAL

## Section 620.105 Purpose

This Part prescribes various aspects of groundwater quality, including method of classification of groundwaters, nondegradation provisions, standards for quality of groundwaters, and various procedures and protocols for the management and protection of groundwaters.

## Section 620.110 Definitions

The definitions of the Environmental Protection Act (Ill. Rev. Stat. 1989, ch. 111 1/2, par. 1001 et seq.) and the Groundwater Protection Act (Ill. Rev. Stat. 1989, ch. 111 1/2, pars. 7451 et seq.) apply to this Part. The following definitions also apply to this Part.

"Act" means the Environmental Protection Act (Ill. Rev. Stat. 1989, ch. 111 1/2, pars. 1001 et seq.).

"Agency" means the Illinois Environmental Protection Agency.

"AQUIFER" MEANS SATURATED (WITH GROUNDWATER) SOILS AND GEOLOGIC MATERIALS WHICH ARE SUFFICIENTLY PERMEABLE TO READILY YIELD ECONOMICALLY USEFUL QUANTITIES OF WATER TO WELLS, SPRINGS, OR STREAMS UNDER ORDINARY HYDRAULIC GRADIENTS. (Section 3(b) of the IGPA)

"BETX" means the sum of the concentrations of benzene, ethylbenzene, toluene, and xylenes.

"Board" means the Illinois Pollution Control Board.

"Carcinogen" means a chemical, or complex mixture of closely related chemicals, which has been listed or classified in the Integrated Risk Information System or as specified in a final rule adopted by USEPA in accordance with USEPA Guidelines for Carcinogenic Risk Assessment, incorporated by reference at Section 620.125, to be a group A, B<sub>1</sub>, or B<sub>2</sub> carcinogen.

"COMMUNITY WATER SUPPLY" MEANS A PUBLIC SUPPLY WHICH SERVES OR IS INTENDED TO SERVE AT LEAST 15 SERVICE CONNECTIONS USED BY RESIDENTS OR REGULARLY SERVES AT LEAST 25 RESIDENTS. (Section 3.05 of the Act)

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"CONTAMINANT" MEANS ANY SOLID, LIQUID, OR GASEOUS MATTER, ANY ODOR, OR ANY FORM OF ENERGY, FROM WHATEVER SOURCE. (Section 3.06 of the Act)

"Corrective action process" means those procedures and practices that may be imposed by a regulatory agency when a determination has been made that contamination of groundwater has taken place, and are necessary to address a potential or existing violation of the standards set forth in Subpart D.

"Cumulative impact area" means the area, including the coal mine area permitted under the Surface Coal Mining Land Conservation Act (Ill. Rev. Stat. 1989, ch. 96 1/2, pars. 7901.01 et seq., as amended) and 62 Ill. Adm. Code 1700 through 1850, within which impacts resulting from the proposed operation may interact with the impacts of all anticipated mining on surface water and groundwater systems.

"Detection" means the identification of a contaminant in a sample at a value equal to or greater than the:

"Method Detection Limit" or "MDL" which means the minimum concentration of a substance that can be measured as reported with 99 percent confidence that the true value is greater than zero, pursuant to 56 Fed. Reg. 3526-3597, incorporated by reference at Section 620.125; or

"Method Quantitation Limit" or "MQL" which means the minimum concentration of a substance that can be measured and reported pursuant to "Test Methods for Evaluating Solid Wastes, Physical/ Chemical Methods", incorporated by reference at Section 620.125.

"Department" means the Illinois Department of Energy and Natural Resources.

"GROUNDWATER" MEANS UNDERGROUND WATER WHICH OCCURS WITHIN THE SATURATED ZONE AND GEOLOGIC MATERIALS WHERE THE FLUID PRESSURE IN THE PORE SPACE IS EQUAL TO OR GREATER THAN ATMOSPHERIC PRESSURE. (Section 3.64 of the Act)

"Hydrologic balance" means the relationship between the quality and quantity of water inflow to, water outflow



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from, and water storage in a hydrologic unit such as a drainage basin, aquifer, soil zone, lake, or reservoir. It encompasses the dynamic relationships among precipitation, runoff, evaporation, and changes in ground and surface water storage.

"IGPA" means the Illinois Groundwater Protection Act. (Ill. Rev. Stat. 1989, ch. 111 1/2, pars. 7451 et seq.)

"LOAEL" or "Lowest observable adverse effect level" means the lowest tested concentration of a chemical or substance which produces a statistically significant increase in frequency or severity of non-overt adverse effects between the exposed population and its appropriate control. LOAEL may be determined for a human population (LOAEL-H) or an animal population (LOAEL-A).

"NOAEL" or "No observable adverse effect level" means the highest tested concentration of a chemical or substance which does not produce a statistically significant increase in frequency or severity of non-overt adverse effects between the exposed population and its appropriate control. NOAEL may be determined for a human population (NOAEL-H) or an animal population (NOAEL-A)

"NON-COMMUNITY WATER SUPPLY" MEANS A PUBLIC WATER SUPPLY THAT IS NOT A COMMUNITY WATER SUPPLY. (Section 3.05)

"Off-site" means not on-site.

"On-site" means on the same or geographically contiguous property which may be divided by public or private right-of-way, provided the entrance and exit between properties is at a crossroads intersection and access is by crossing as opposed to going along the right-of-way. Noncontiguous properties owned by the same person but connected by a right-of-way which he controls and to which the public does not have access is also considered on-site property.

"Operator" means the person responsible for the operation of a site, facility or unit.

"Owner" means the person who owns a site, facility or unit or part of a site, facility or unit, or who owns

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the land on which the site, facility or unit is located.

"POTABLE" MEANS GENERALLY FIT FOR HUMAN CONSUMPTION IN ACCORDANCE WITH ACCEPTED WATER SUPPLY PRINCIPLES AND PRACTICES. (Section 3.65 of the Act)

"POTENTIAL PRIMARY SOURCE" MEANS ANY UNIT AT A FACILITY OR SITE NOT CURRENTLY SUBJECT TO A REMOVAL OR REMEDIAL ACTION WHICH:

IS UTILIZED FOR THE TREATMENT, STORAGE, OR DISPOSAL OF ANY HAZARDOUS OR SPECIAL WASTE NOT GENERATED AT THE SITE; OR

IS UTILIZED FOR THE DISPOSAL OF MUNICIPAL WASTE NOT GENERATED AT THE SITE, OTHER THAN LANDSCAPE WASTE AND CONSTRUCTION AND DEMOLITION DEBRIS; OR

IS UTILIZED FOR THE LANDFILLING, LAND TREATING, SURFACE IMPOUNDING OR PILING OF ANY HAZARDOUS OR SPECIAL WASTE THAT IS GENERATED ON THE SITE OR AT OTHER SITES OWNED, CONTROLLED OR OPERATED BY THE SAME PERSON; OR

STORES OR ACCUMULATES AT ANY TIME MORE THAN 75,000 POUNDS ABOVE GROUND, OR MORE THAN 7,500 POUNDS BELOW GROUND, OF ANY HAZARDOUS SUBSTANCES. (Section 3.59 of the Act)

"POTENTIAL ROUTE" MEANS ABANDONED AND IMPROPERLY PLUGGED WELLS OF ALL KINDS, DRAINAGE WELLS, ALL INJECTION WELLS, INCLUDING CLOSED LOOP HEAT PUMP WELLS, AND ANY EXCAVATION FOR THE DISCOVERY, DEVELOPMENT OR PRODUCTION OF STONE, SAND OR GRAVEL. (Section 3.58 of the Act)

"POTENTIAL SECONDARY SOURCE" MEANS ANY UNIT AT A FACILITY OR A SITE NOT CURRENTLY SUBJECT TO A REMOVAL OR REMEDIAL ACTION, OTHER THAN A POTENTIAL PRIMARY SOURCE, WHICH:

IS UTILIZED FOR THE LANDFILLING, LAND TREATING, OR SURFACE IMPOUNDING OF WASTE THAT IS GENERATED ON THE SITE OR AT OTHER SITES OWNED, CONTROLLED OR OPERATED BY THE SAME PERSON, OTHER THAN LIVESTOCK AND LANDSCAPE WASTE, AND CONSTRUCTION AND DEMOLITION DEBRIS; OR



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STORES OR ACCUMULATES AT ANY TIME MORE THAN 25,000 POUNDS BUT NOT MORE THAN 75,000 POUNDS ABOVE GROUND, OR MORE THAN 2,500 BUT NOT MORE THAN 7,500 POUNDS BELOW GROUND, OF ANY HAZARDOUS SUBSTANCES; OR

STORES OR ACCUMULATES AT ANY TIME MORE THAN 25,000 GALLONS ABOVE GROUND, OR MORE THAN 500 GALLONS BELOW GROUND, OF PETROLEUM, INCLUDING CRUDE OIL OR ANY FRACTION THEREOF WHICH IS NOT OTHERWISE SPECIFICALLY LISTED OR DESIGNATED AS A HAZARDOUS SUBSTANCE; OR

STORES OR ACCUMULATES PESTICIDES, FERTILIZERS, OR ROAD OILS FOR PURPOSES OF COMMERCIAL APPLICATION OR FOR DISTRIBUTION TO RETAIL SALES OUTLETS; OR

STORES OR ACCUMULATES AT ANY TIME MORE THAN 50,000 POUNDS OF ANY DE-ICING AGENT; OR  
IS UTILIZED FOR HANDLING LIVESTOCK WASTE OR FOR TREATING DOMESTIC WASTEWATERS OTHER THAN PRIVATE SEWAGE DISPOSAL SYSTEMS AS DEFINED IN THE PRIVATE SEWAGE DISPOSAL LICENSING ACT, Ill. Rev. Stat. 1989, ch. 111 1/2, par. 116.301 et seq. (Section 3.60 of the Act)

"Practical Quantitation Limit" or "PQL" means the lowest concentration or level that can be reliably measured within specified limits of precision and accuracy during routine laboratory operating conditions in accordance with "Test Methods for Evaluating Solid Wastes, Physical/Chemical Methods", EPA Publication No. SW-846, incorporated by reference at Section 620.125.

"Previously mined area" means land disturbed or affected by coal mining operations prior to February 1, 1983.

(Board Note: February 1, 1983, is the effective date of the Illinois permanent program regulations implementing the Surface Coal Mining Land Conservation and Reclamation Act (Ill. Rev. Stat. 1989, ch. 96 1/2, pars. 7901.1 et seq., as amended) as codified in 62 Ill. Adm. Code 1700 through 1850.)

"Property class" means the class assigned by a tax assessor to real property for purposes of real estate taxes.

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(Board Note: The property class [rural property, residential vacant land, residential with dwelling, commercial residence, commercial business, commercial office, or industrial] is identified on the property record card maintained by the tax assessor in accordance with the Illinois Real Property Appraisal Manual [February 1987], published by the Illinois Department of Revenue, Property Tax Administration Bureau.)

"PUBLIC WATER SUPPLY" MEANS ALL MAINS, PIPES AND STRUCTURES THROUGH WHICH WATER IS OBTAINED AND DISTRIBUTED TO THE PUBLIC, INCLUDING WELLS AND WELL STRUCTURES, INTAKES AND CRIBS, PUMPING STATIONS, TREATMENT PLANTS, RESERVOIRS, STORAGE TANKS AND APPURTENANCES, COLLECTIVELY OR SEVERALLY, ACTUALLY USED OR INTENDED FOR USE FOR THE PURPOSE OF FURNISHING WATER FOR DRINKING OR GENERAL DOMESTIC USE AND WHICH SERVE AT LEAST 15 SERVICE CONNECTIONS OR WHICH REGULARLY SERVE AT LEAST 25 PERSONS AT LEAST 60 DAYS PER YEAR. A PUBLIC WATER SUPPLY IS EITHER A "COMMUNITY WATER SUPPLY" OR A "NON-COMMUNITY WATER SUPPLY". (Section 3.28 of the Act)

"Regulated entity" means a facility or unit regulated for groundwater protection by any state or federal agency.

"Regulatory agency" means the Illinois Environmental Protection Agency, Department of Public Health, Department of Agriculture, Department of Mines and Minerals, and the Office of State Fire Marshal.

"REGULATED RECHARGE AREA" MEANS A COMPACT GEOGRAPHIC AREA, AS DETERMINED BY THE BOARD pursuant to Section 17.4 of the Act, THE GEOLOGY OF WHICH RENDERS A POTABLE RESOURCE GROUNDWATER PARTICULARLY SUSCEPTIBLE TO CONTAMINATION. (Section 3.67 of the Act)

"RESOURCE GROUNDWATER" MEANS GROUNDWATER THAT IS PRESENTLY BEING, OR IN THE FUTURE IS CAPABLE OF BEING, PUT TO BENEFICIAL USE BY REASON OF BEING OF SUITABLE QUALITY. (Section 3.66 of the Act)

"SETBACK ZONE" MEANS A GEOGRAPHIC AREA, DESIGNATED PURSUANT TO THIS ACT, CONTAINING A POTABLE WATER SUPPLY WELL OR A POTENTIAL SOURCE OR POTENTIAL ROUTE HAVING A CONTINUOUS BOUNDARY, AND WITHIN WHICH CERTAIN



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PROHIBITIONS OR REGULATIONS ARE APPLICABLE IN ORDER TO PROTECT GROUNDWATERS. (Section 3.61 of the Act)

"Site" MEANS ANY LOCATION, PLACE, TRACT OF LAND, AND FACILITIES, INCLUDING BUT NOT LIMITED TO, BUILDINGS AND IMPROVEMENTS USED FOR PURPOSES SUBJECT TO REGULATION OR CONTROL BY the ACT OR REGULATIONS THEREUNDER. (Section 3.43 of the Act)

"Spring" means a natural surface discharge of an aquifer from rock or soil.

"Threshold dose" means the lowest dose of a chemical at which a specified measurable effect is observed and below which it is not observed.

"Treatment" means the technology, treatment techniques, or other procedures for compliance with 35 Ill. Adm. Code: Subtitle F.

"UNIT" MEANS ANY DEVICE, MECHANISM, EQUIPMENT, OR AREA (EXCLUSIVE OF LAND UTILIZED ONLY FOR AGRICULTURAL PRODUCTION). (Section 3.62) of the Act)

"USEPA" or "U.S. EPA" means the United States Environmental Protection Agency.

Section 620.115 Prohibition

No person shall cause, threaten or allow a violation of the Act, the IGPA or regulations adopted by the Board thereunder, including but not limited to this Part.

Section 620.125 Incorporations by Reference

- a) The Board incorporates the following material by reference:

ASTM. American Society for Testing and Materials, 1976 Race Street, Philadelphia, Pa. 19103 (215) 299-5585

"Standard Practice for Description and Identification of Soils (Visual Manual Procedure)" D2488-84

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GPO. Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20401, (202) 783-3238):

Maximum Contaminant Level Goals and National Primary Drinking Water Regulations for Lead and Copper; Final Rule, 56 Fed. Reg. 26460-26564 (June 7, 1991).

National Primary Drinking Water Regulations, Final Rule, 56 Fed. Reg. 3526-3597 (January 30, 1991).

USEPA Guidelines for Carcinogenic Risk Assessment, 51 Fed. Reg. 33992-34003 (September 24, 1986).

NCRP. National Council on Radiation Protection, 7910 Woodmont Ave., Bethesda, MD (301) 657-6252

"Maximum Permissible Body Burdens and Maximum Permissible Concentrations of Radionuclides in Air and in Water for Occupational Exposure", NCRP Report Number 22, June 5, 1959.

NTIS. National Technical Information Service, 5285 Port Royal Road, Springfield, VA 22161 (703) 487-4600.

"Methods for Chemical Analysis of Water and Wastes," EPA Publication No. EPA-600/4-79-020, (March 1983), Doc. No. PB 84-128677

"Methods for the Determination of Organic Compounds in Drinking Water", EPA, EMSL, EPA-600/4-88/039 (Dec. 1988), Doc. No. PB 89-220461

"Practical Guide for Ground-Water Sampling", EPA Publication No. EPA/600/2-85/104 (September 1985), Doc. No. PB 86-137304

"Test Methods for Evaluating Solid Wastes, Physical/Chemical Methods", EPA Publication No. SW-846 (Third Edition, 1986, as amended by Revision I (December 1987), Doc. No. PB 89-148076



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USGS. United States Geological Survey, 1961 Stout St., Denver, CO 80294 (303) 844-4169

"Techniques of Water Resources Investigations of the United States Geological Survey, Guidelines for Collection and Field Analysis of Ground-Water Samples for Selected Unstable Constituents", Book I, Chapter D2 (1981).

- b) This Section incorporates no later editions or amendments.

Section 620.130 Exemption from General Use Standards and Public and Food Processing Water Supply Standards

Groundwater is not required to meet the general use standards and public and food processing water supply standards of 35 Ill. Adm. Code 302.Subparts B and C.

Section 620.135 Exclusion for Underground Waters in Certain Man-Made Conduits

This Part does not apply to underground waters contained in man-made subsurface drains, tunnels, reservoirs, storm sewers, tiles or sewers.

## SUBPART B: GROUNDWATER CLASSIFICATION

Section 620.201 Groundwater Designations

All groundwaters of the State are designated as:

- a) One of the following four classes of groundwater in accordance with Sections 620.210 through 620.240:

- 1) Class I: Potable Resource Groundwater
- 2) Class II: General Resource Groundwater;
- 3) Class III: Special Resource Groundwater;
- 4) Class IV: Other Groundwater; or

- b) A groundwater management zone in accordance with Section 620.250.

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Section 620.210 Class I: Potable Resource Groundwater

Except as provided in Sections 620.230, 620.240, or 620.250, Potable Resource Groundwater is:

- a) Groundwater located 10 feet or more below the land surface and within:

- 1) The minimum setback zone of a well which serves as a potable water supply and to the bottom of such well;
- 2) Unconsolidated sand, gravel or sand and gravel which is 5 feet or more in thickness and that contains 12 percent or less of fines (i.e. fines which pass through a No. 200 sieve tested according to ASTM Standard Practice D2488-84, incorporated by reference at Section 620.125);
- 3) Sandstone which is 10 feet or more in thickness, or fractured carbonate which is 15 feet or more in thickness; or
- 4) Any geologic material which is capable of a:
  - A) Sustained groundwater yield, from up to a 12 inch borehole, of 150 gallons per day or more from a thickness of 15 feet or less; or
  - B) Hydraulic conductivity of  $1 \times 10^{-4}$  cm/sec or greater using one of the following test methods or its equivalent:
    - i) Permeameter;
    - ii) Slug test; or
    - iii) Pump test.
- b) Any groundwater which is determined by the Board pursuant to petition procedures set forth in Section 620.260, to be capable of potable use.  
(Board Note: Any portion of the thickness associated with the geologic materials as described in subsections 620.210(a)(2), (a)(3) or (a)(4) should be designated as Class I: Potable Resource Groundwater if located 10 feet or more below the land surface.)



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## Section 620.220 Class II: General Resource Groundwater

Except as provided in Section 620.250, General Resource Groundwater is:

- a) Groundwater which does not meet the provisions of Section 620.210 (Class I), Section 620.230 (Class III), or Section 620.240 (Class IV).
- b) Groundwater which is found by the Board, pursuant to the petition procedures set forth in Section 620.260, to be capable of agricultural, industrial, recreational or other beneficial uses.

## Section 620.230 Class III: Special Resource Groundwater

Except as provided in Section 620.250, Special Resource Groundwater is:

- a) Groundwater that is determined by the Board, pursuant to the procedures set forth in Section 620.260, to be:
  - 1) Demonstrably unique (e.g., irreplaceable sources of groundwater) and suitable for application of a water quality standard more stringent than the otherwise applicable water quality standard specified in Subpart D; or
  - 2) Vital for a particularly sensitive ecological system.
- b) Groundwater that contributes to a dedicated nature preserve that is listed by the Agency as set forth below:
  - 1) A written request to list a dedicated nature preserve under this subsection must contain, at a minimum, the following information:
    - A) A general description of the site and the surrounding land use;
    - B) A topographic map or other map of suitable scale denoting the location of the dedicated nature preserve;

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- C) A general description of the existing groundwater quality at and surrounding the dedicated nature preserve;

- D) A general geologic profile of the dedicated nature preserve based upon the most reasonably available information, including but not limited to geologic maps and subsurface groundwater flow directions; and

- E) A description of the interrelationship between groundwater and the nature of the site.

- 2) Upon confirmation by the Agency of the technical adequacy of a written request, the Agency shall publish the proposed listing of the dedicated nature preserve in the Environmental Register for a 45-day public comment period. Within 60 days after the close of the public comment period, the Agency shall either publish a final listing of the dedicated nature preserve in the Environmental Register or provide a written response to the requestor specifying the reasons for not listing the dedicated nature preserve.

- 3) At least once annually, the Agency shall publish in the Environmental Register a complete listing of all dedicated nature preserves listed under this subsection.

- 4) For purposes of this Section the term "dedicated nature preserve" means a nature preserve that is dedicated pursuant to the Illinois Natural Areas Preservation Act (Ill. Rev. Stat. 1989, ch. 105, pars. 701 et seq.).

## Section 620.240 Class IV: Other Groundwater

Except as provided in Section 620.250, Other Groundwater is:

- a) Groundwater within a zone of attenuation as provided in 35 Ill. Adm. Code 811 and 814;
- b) Groundwater within a point of compliance as provided in 35 Ill. Adm. Code 724, but not to exceed a distance of 200 feet from a potential primary or secondary source.



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- c) Groundwater that naturally contains more than 10,000 mg/L of total dissolved solids;
- d) Groundwater which has been designated by the Board as an exempt aquifer pursuant to 35 Ill. Adm. Code 730.104; or
- e) Groundwater which underlies a potential primary or secondary source, in which contaminants may be present from a release, if the owner or operator of such source notifies the Agency in writing and the following conditions are met:

1) The outermost edge is the closest practicable distance from such source, but does not exceed:

- A) A lateral distance of 25 feet from the edge of such potential source or the property boundary, whichever is less; and
- B) A depth of 15 feet from the bottom of such potential source or the land surface, whichever is greater;

2) The source of any release of contaminants to groundwater has been controlled;

3) Migration of contaminants within the site resulting from a release to groundwater has been minimized;

4) Any on-site release of contaminants to groundwater has been managed to prevent migration off-site; and

5) No potable water well exists within the outermost edge as provided in subsection (e)(1).

f) Groundwater which underlies a coal mine refuse disposal area not contained within an area from which overburden has been removed, a coal combustion waste disposal area at a surface coal mine authorized under Section 21(s) of the Act, or an impoundment that contains sludge, slurry, or precipitated process material at a coal preparation plant, in which contaminants may be present, if such area or impoundment was placed into operation after February 1, 1983, if the owner and

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operator notifies the Agency in writing, and if the following conditions are met:

1) The outermost edge is the closest practicable distance, but does not exceed:

- A) A lateral distance of 25 feet from the edge of such area or impoundment, or the property boundary, whichever is less; and
- B) A depth of 15 feet from the bottom of such area or impoundment, or the land surface, whichever is greater;

2) The source of any release of contaminants to groundwater has been controlled;

3) Migration of contaminants within the site resulting from a release to groundwater has been minimized;

4) Any on-site release of contaminants to groundwater has been managed to prevent migration off-site; and

5) No potable water well exists within the outermost edge as provided in subsection (e)(1).

g) Groundwater within a previously mined area, unless monitoring demonstrates that the groundwater is capable of consistently meeting the standards of Sections 620.410 or 620.420. If such capability is determined, groundwater within the previously mined area shall not be Class IV.

## Section 620.250 Groundwater Management Zone

a) Within any class of groundwater, a groundwater management zone may be established as a three dimensional region containing groundwater being managed to mitigate impairment caused by the release of contaminants from a site:

- 1) That is subject to a corrective action process approved by the Agency; or
- 2) For which the owner or operator undertakes an adequate corrective action in a timely and appropriate manner and provides a written



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confirmation to the Agency. Such confirmation must be provided in a form as prescribed by the Agency.

- b) A groundwater management zone is established upon concurrence by the Agency that the conditions as specified in subsection (a) are met and groundwater management continues for a period of time consistent with the action described in that subsection.
- c) A groundwater management zone expires upon the Agency's receipt of appropriate documentation which confirms the completion of the action taken pursuant to subsection (a) and which confirms the attainment of applicable standards as set forth in Subpart D. The Agency shall review the on-going adequacy of controls and continued management at the site if concentrations of chemical constituents, as specified in Section 620.450(a)(4)(B), remain in groundwater at the site following completion of such action. The review must take place no less often than every 5 years and the results must be presented to the Agency in a written report.

#### Section 620.260      Reclassification of Groundwater by Adjusted Standard

Any person may petition the Board to reclassify a groundwater in accordance with the procedures for adjusted standards specified in Section 28.1 of the Act and 35 Ill. Adm. Code 106.Subpart G. In any proceeding to reclassify specific groundwater by adjusted standard, in addition to the requirements of 35 Ill. Adm. Code 106.Subpart G, and Section 28.1(c) of the Act, the petition shall, at a minimum, contain information to allow the Board to determine:

- a) The specific groundwater for which reclassification is requested, including but not limited to geographical extent of any aquifers, depth of groundwater, and rate and direction of groundwater flow and that the specific groundwater exhibits the characteristics of the requested class as set forth in Sections 620.210(b), 620.220(b), 620.230, or 620.240(b);
- b) Whether the proposed change or use restriction is necessary for economic or social development, by providing information including, but not limited to, the impacts of the standards on the regional economy, social benefits such as loss of jobs or closing of

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facilities, and economic analysis contrasting the health and environmental benefits with costs likely to be incurred in meeting the standards would be beneficial or necessary;

- c) Existing and anticipated uses of the specific groundwater;
- d) Existing and anticipated quality of the specific groundwater;
- e) Existing and anticipated contamination, if any, of the specific groundwater;
- f) Technical feasibility and economic reasonableness of eliminating or reducing contamination of the specific groundwater or of maintaining existing water quality;
- g) The anticipated time period over which contaminants will continue to affect the specific groundwater;
- h) Existing and anticipated impact on any potable water supplies due to contamination;
- i) Availability and cost of alternate water sources or of treatment for those users adversely affected;
- j) Negative or positive effect on property values; and
- k) For special resource groundwater, negative or positive effect on:
  - 1) The quality of surface waters; and
  - 2) Wetlands, natural areas, and the life contained therein, including endangered or threatened species of plant, fish or wildlife listed pursuant to the Endangered Species Act, 16 U.S.C. 1531 et seq., or the Illinois Endangered Species Protection Act (Ill. Rev. Stat. 1989, ch. 8, par. 331 et seq.).

#### SUBPART C: NONDEGRADATION PROVISIONS FOR APPROPRIATE GROUNDWATERS

Section 620.301      General Prohibition Against Use Impairment of Resource Groundwater



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- a) No person shall cause, threaten or allow the release of any contaminant to a resource groundwater such that:

- 1) Treatment or additional treatment is necessary to continue an existing use or to assure a potential use of such groundwater; or
- 2) An existing or potential use of such groundwater is precluded.

- b) Nothing in this Section shall prevent the establishment of a groundwater management zone pursuant to Section 620.250 or a cumulative impact area within a permitted site.

- c) Nothing in this Section shall limit underground injection pursuant to a permit issued by the Agency under the Act or issued by the Department of Mines and Minerals under "An Act in relation to oil, gas, coal and other surface and underground resources and to repeal an Act herein named" (Ill. Rev Stat. 1989, ch. 96 1/2, pars. 5401 et seq., as amended).

- d) Nothing in this Section shall limit the Board from promulgating nondegradation provisions applicable to particular types of facilities or activities which impact upon groundwater, including but not limited to landfills regulated pursuant to 35 Ill. Adm. Code.Subtitle G.

## Section 620.302

## Applicability of Preventive Notification and Preventive Response Activities

- a) Preventive notification and preventive response as specified in Sections 620.305 through 620.310 applies to:

- 1) Class I groundwater under Section 620.210(a)(1), (a)(2), or (a)(3) which is monitored by the persons listed in subsection (b); or
  - 2) Class III groundwater which is monitored by the persons listed in subsection (b).
- b) For purposes of subsection (a), the persons that conduct groundwater monitoring are:

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- 1) An owner or operator of a regulated entity for which groundwater quality monitoring must be performed pursuant to State or Federal law or regulation (e.g. Sections 106 and 107 of the Comprehensive Environmental Response, Compensation and Liability Act, (42 U.S.C. 9601, et seq.); Sections 3004 and 3008 of the Resource Conservation and Recovery Act, (42 U.S.C. 6901, et seq.); Sections 4(q), 4(v), 12(g), 21(d), 21(f), 22.2(f), 22.2(m) and 22.18 of the Act; 35 Ill. Adm. Code 724, 725, 730, 731, 750, 811 and 814.)"

- 2) An owner or operator of a public water supply well who conducts groundwater quality monitoring; or

- 3) A state agency which is authorized to conduct, or is the recipient of, groundwater quality monitoring data (e.g., Illinois Environmental Protection Agency, Department of Public Health, Department of Conservation, Department of Mines and Minerals, Department of Agriculture, Office of State Fire Marshall or Department of Energy and Natural Resources).

- c) If a contaminant exceeds a standard set forth in Section 620.410 or Section 620.430, the appropriate remedy is corrective action and Sections 620.305 and 620.310 do not apply.

## Section 620.305

## Preventive Notification Procedures

- a) Pursuant to groundwater quality monitoring as described in Section 620.302, a preventive notification must occur whenever a contaminant:

- 1) Listed under Section 620.310(a)(3)(A) is detected (except due to natural causes) in Class I groundwater; or
- 2) Denoted as a carcinogen under Section 620.410(b) is detected in Class I groundwater; or
- 3) Subject to a standard under Section 620.430 is detected (except due to natural causes) in Class III groundwater.

- b) When a preventive notification is required for groundwater which is monitored by a regulated entity



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for the subject contaminant, the owner or operator of the site shall confirm the detection by resampling the monitoring well. This resampling shall be made within 30 days of the date on which the first sample analyses are received. The owner or operator shall provide a preventive notification to the appropriate regulatory agency of the results of the resampling analysis within 30 days of the date on which the sample analyses are received, but no later than 90 days after the results of the first samples were received.

c) When a preventive notification is required for groundwater which is monitored by a regulatory agency, such agency shall notify the owner or operator of the site where the detection has occurred. The owner or operator shall confirm the detection by resampling within 30 days of the date of the notice by the regulatory agency. The owner or operator shall provide preventive notification to the regulatory agency of the results of the resampling analysis within 30 days of the date on which the sample analyses are received, but no later than 90 days after the results of the first samples were received.

d) When a preventive notification of a confirmed detection has been provided by an owner or operator pursuant to this Section, additional detections of the same contaminant do not require further notice, provided that the groundwater quality conditions are substantially unchanged or that preventive response is underway for such contaminant.

## Section 620.310 Preventive Response Activities

a) The following preventive assessment must be undertaken:

1) If a preventive notification under Section 620.305(c) is provided by a community water supply:

A) The Agency shall notify the owner or operator of any identified potential primary source, potential secondary source, potential route, or community water supply well that is located within 2,500 feet of the wellhead.

B) The owner or operator notified under subsection (a)(1)(A) shall, within 30 days of

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the date of issuance of such notice, sample each water well or monitoring well for the contaminant identified in the notice if the contaminant or material containing such contaminant is or has been stored, disposed, or otherwise handled at the site. If a contaminant identified under Section 620.305(a) is detected, then the well must be resampled within 30 days of the date on which the first sample analyses are received. If a contaminant identified under Section 620.305(a) is detected by the resampling, preventive notification must be given as set forth in Section 620.305.

c) If the Agency receives analytical results under subsection (a)(1)(B) that show a contaminant identified under Section 620.305(a) has been detected, the Agency shall:

i) Conduct a well site survey pursuant to Section 17.1(d) of the Act, if such a survey has not been previously conducted within the last 5 years; and

ii) Identify those sites or activities which represent a hazard to the continued availability of groundwaters for public use unless a groundwater protection needs assessment has been prepared pursuant to Section 17.1 of the Act.

2) If a preventive notification is provided under Section 620.305(c) by a non-community water supply or for multiple private water supply wells, the Department of Public Health shall conduct a sanitary survey within 1,000 feet of the wellhead of a non-community water supply or within 500 feet of the wellheads for multiple private water supply wells.

3) If a preventive notification under Section 620.305(b) is provided by the owner or operator of a regulated entity and the applicable standard in Subpart D has not been exceeded:



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- A) The appropriate regulatory agency shall determine if any of the following occurs for Class I: Potable Resource Groundwater:

- i) The levels set forth below are exceeded or are changed for pH:

<u>Constituent</u>	<u>Criterion</u> (mg/L)
para-Dichlorobenzene	0.005
ortho-Dichlorobenzene	0.01
Ethylbenzene	0.03
Phenols	0.001
Styrene	0.01
Toluene	0.04
Xylenes	0.02

- ii) A statistically significant increase occurs above background (as determined pursuant to other regulatory procedures (e.g., 35 Ill. Adm. Code 616, 724, 725 or 811)) for arsenic, cadmium, chromium, cyanide, lead or mercury (except due to natural causes); or for aldicarb, atrazine, carbofuran, endrin, lindane (gamma-hexachlor cyclohexane), 2,4-D, 1,1-dichloroethylene, cis-1,2-dichloroethylene, trans-1,2-dichloroethylene, methoxychlor, monochlorobenzene, 2,4,5-TP (Silvex) and 1,1,1-trichloroethane.

- iii) For a chemical constituent of gasoline, diesel fuel, or heating fuel, the constituent exceeds the following:

<u>Constituent</u>	<u>Criterion</u> (mg/L)
BETX	0.095

- iv) For pH, a statistically significant change occurs from background.

(Board Note: Constituents that are carcinogens have not been listed in subsection (a)(3)(A) because the

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standard is set at the PQL and any exceedence thereof is a violation subject to corrective action.)

- B) The appropriate agency shall determine if, for Class III: Special Resource Groundwater, the levels as determined by the Board are exceeded.
- C) The appropriate regulatory agency shall consider whether the owner or operator reasonably demonstrates that:
- The contamination is a result of contaminants remaining in groundwater from a prior release for which appropriate action was taken in accordance with laws and regulations in existence at the time of the release;
  - The source of contamination is not due to the on-site release of contaminants; or
  - The detection resulted from error in sampling, analysis, or evaluation.
- D) The appropriate regulatory agency shall consider actions necessary to minimize the degree and extent of contamination.
- b) The appropriate regulatory agency shall determine whether a preventative response must be undertaken based on relevant factors including, but not limited to, the considerations in subsection (a)(3).
- c) After completion of preventive response pursuant to authority of an appropriate regulatory agency, the concentration of a contaminant listed in subsection (a)(3)(A) in groundwater may exceed 50 percent of the applicable numerical standard in Subpart D only if the following conditions are met:
- The exceedence has been minimized to the extent practicable;
  - Beneficial use, as appropriate for the class of groundwater, has been assured; and
  - Any threat to public health or the environment has been minimized.



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- d) Nothing in this Section shall in any way limit the authority of the State or of the United States to require or perform any corrective action process.

## SUBPART D: GROUNDWATER QUALITY STANDARDS

## Section 620.401 Applicability

Groundwaters must meet the standards appropriate to the groundwater's class as specified in this Subpart and the nondegradation provisions of Subpart C.

## Section 620.405 General Prohibitions Against Violations of Groundwater Quality Standards

No person shall cause, threaten or allow the release of any contaminant to groundwater so as to cause a groundwater quality standard set forth in this Subpart to be exceeded.

## Section 620.410 Groundwater Quality Standards for Class I: Potable Resource Groundwater

## a) Inorganic Chemical Constituents

Except due to natural causes or as provided in Section 620.450, concentrations of the following chemical constituents must not be exceeded in Class I groundwater:

Constituent	Units	Standard
Arsenic	mg/L	0.05
Barium	mg/L	2
Boron	mg/L	2
Cadmium	mg/L	0.005
Chloride	mg/L	200
Chromium	mg/L	0.1
Cobalt	mg/L	1
Copper	mg/L	0.65
Cyanide	mg/L	0.2
Fluoride	mg/L	4.0
Iron	mg/L	5
Lead	mg/L	0.0075
Manganese	mg/L	0.15
Mercury	mg/L	0.002
Nickel	mg/L	0.1
Nitrate as N	mg/L	10
Radium-226	pCi/L	20

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Radium-228	pCi/L	20
Selenium	mg/L	0.05
Silver	mg/L	0.05
Sulfate	mg/L	400
Total Dissolved Solids (TDS)	mg/L	1,200
Zinc	mg/L	5

## b) Organic Chemical Constituents

Except due to natural causes or as provided in Section 620.450 or subsection (c), concentrations of the following organic chemical constituents must not be exceeded in Class I groundwater:

## Constituent

Standard (mg/L)

Alachlor*	0.002
Aldicarb	0.003
Atrazine	0.003
Benzene*	0.005
Carbofuran	0.04
Carbon Tetrachloride*	0.005
Chlordane*	0.002
Endrin	0.002
Heptachlor*	0.0004
Heptachlor Epoxide*	0.0002
Lindane (Gamma-Hexachlor cyclohexane)	0.0002
2,4-D	0.07
ortho-Dichlorobenzene	0.6
para-Dichlorobenzene	0.075
1,2-Dichloroethane*	0.005
1,1-Dichloroethylene	0.007
cis-1,2-Dichloroethylene	0.07
trans-1,2-Dichloroethylene	0.1
1,2-Dichloropropane*	0.005
Ethylbenzene	0.7
Methoxychlor	0.04
Monochlorobenzene	0.1
Pentachlorophenol*	0.001
Phenols	0.1
Polychlorinated Biphenyls (PCB's) (as decachloro-biphenyl)*	0.005
styrene	0.1
2,4,5-TP (Silvex)	0.05
Tetrachloroethylene*	0.005



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Toluene	1
Toxaphene*	0.003
1,1,1-Trichloroethane	0.2
Trichloroethylene*	0.005
Vinyl Chloride*	0.002
Xylenes	10

\*Denotes a carcinogen.

## c) Complex Organic Chemical Mixtures

Concentrations of the following chemical constituents of gasoline, diesel fuel, or heating fuel must not be exceeded in Class I groundwater:

Constituent	Standard (mg/L)
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Benzene*	0.005
BETX	11.705

\*Denotes a carcinogen.

## d) pH

Except due to natural causes, a pH range of 6.5 - 9.0 units must not be exceeded in Class I groundwater.

## e) Beta Particle and Photon Radioactivity

1) Except due to natural causes, the average annual concentration of beta particle and photon radioactivity from man-made radionuclides shall not exceed a dose equivalent to the total body organ greater than 4 mrem/year in Class I groundwater. If two or more radionuclides are present, the sum of their dose equivalent to the total body, or to any internal organ shall not exceed 4 mrem/year in Class I groundwater except due to natural causes.

2) Except for the radionuclides listed in subsection (e)(3), the concentration of man-made radionuclides causing 4 mrem total body or organ dose equivalent must be calculated on the basis of a 2 liter per day drinking water intake using the 168-hour data in accordance with the procedure set forth in NCRP Report Number 22, incorporated by reference at in Section 620.125(a).

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3) Except due to natural causes, the average annual concentration assumed to produce a total body or organ dose of 4 mrem/year of the following chemical constituents shall not be exceeded in Class I groundwater:

Constituent	Critical Organ	Standard (pCi/l)
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Tritium	Total body	20,000
Strontium-90	Bone marrow	8

Section 620.420 Groundwater Quality Standards for Class II: General Resource Groundwater

## a) Inorganic Chemical Constituents

1) Except due to natural causes or as provided in Section 620.450 or subsection (a)(3) or (d), concentrations of the following chemical constituents must not be exceeded in Class II groundwater:

Constituent	Standard (mg/L)
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Arsenic	0.2
Barium	2
Cadmium	0.05
Chromium	1
Cobalt	1
Cyanide	0.6
Fluoride	4.0
Lead	0.1
Mercury	0.01
Nitrate as N	100

2) Except as provided in Section 620.450 or subsection (a)(3) or (d), concentrations of the following chemical constituents must not be exceeded in Class II groundwater:

Constituent	Standard (mg/L)
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Boron	2.0
Chloride	200
Copper	0.65



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Iron	5
Manganese	10
Nickel	2
Selenium	0.05
Total Dissolved Solids	1,200
(TDS)	400
Sulfate	10
Zinc	10

- 3) The standard for any inorganic chemical constituent listed in subsection (a)(2), for barium, or for pH does not apply to groundwater within fill material or within the upper 10 feet of parent material under such fill material on a site not within the rural property class for which:

A) Prior to the effective date of this Part, surficial characteristics have been altered by the placement of such fill material so as to impact the concentration of the parameters listed in subsection (a)(3), and any on-site groundwater monitoring of such parameters is available for review by the Agency.

B) On the effective date of this Part, surficial characteristics are in the process of being altered by the placement of such fill material, which proceeds in reasonably continuous manner to completion, so as to impact the concentration of the parameters listed in subsection (a)(3), and any on-site groundwater monitoring of such parameters is available for review by the Agency.

- 4) For purposes of subsection (a)(3), the term "fill material" means clean earthen materials, slag, ash, clean demolition debris, or other similar materials.

## b) Organic Chemical Constituents

- 1) Except due to natural causes or as provided in Section 620.450 or subsection (b)(2) or (d), concentrations of the following organic chemical constituents must not be exceeded in Class II groundwater:

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Constituent	Standard (mg/L)
Alachlor*	0.010
Aldicarb	0.015
Atrazine	0.015
Benzene*	0.025
Carbofuran	0.2
Carbon Tetrachloride*	0.025
Chlordane*	0.01
Endrin	0.01
Heptachlor*	0.002
Heptachlor Epoxide*	0.001
Lindane (Gamma-Hexachlor cyclohexane)	0.001
2,4-D	0.35
ortho-Dichlorobenzene	1.5
para-Dichlorobenzene	0.375
1,2-Dichloroethane*	0.025
1,1-Dichloroethylene	0.035
cis-1,2-Dichloroethylene	0.2
trans-1,2-Dichloroethylene	0.5
1,2-Dichloropropane*	0.025
Ethylbenzene	1.0
Methoxychlor	0.2
Monochlorobenzene	0.5
Pentachlorophenol*	0.005
Phenols	0.1
Polychlorinated Biphenyls (PCB's) (as decachloro-biphenyl)*	0.0025
Styrene	0.5
2,4,5-TP	0.25
Tetrachloroethylene*	0.025
Toluene	2.5
Toxaphene*	0.015
1,1,1-Trichloroethane	1.0
Trichloroethylene*	0.025
Vinyl Chloride*	0.01
Xylenes	10

\*Denotes a carcinogen.

- 2) The standards for pesticide chemical constituents listed in subsection (b)(1) do not apply to groundwater within 10 feet of the land surface, provided that the concentrations of such constituents result from the application of pesticides in a manner consistent with the



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requirements of the Federal Insecticide, Fungicide and Rodenticide Act (7 U. S. C. 136 et seq.) and the Illinois Pesticide Act (Ill. Rev. Stat. 1989, ch. 5, pars. 801 et seq.).

## c) Complex Organic Chemical Mixtures

Concentrations of the following organic chemical constituents of gasoline, diesel fuel, or heating fuel must not be exceeded in Class II groundwater:

Constituent	Standard (mg/L)
Benzene*	0.025
BETX	13.525

\*Denotes a carcinogen.

## d) pH

Except due to natural causes, a pH range of 6.5 - 9.0 units must not be exceeded in Class II groundwater that is within 5 feet of the land surface.

## Section 620.430

Groundwater Quality Standards for Class III:  
Special Resource Groundwater

Concentrations of inorganic and organic chemical constituents must not exceed the standards set forth in Section 620.410, except for those chemical constituents for which the Board has adopted a standard pursuant to Section 620.260.

## Section 620.440

Groundwater Quality Standards for Class IV:  
Other Groundwater

## a)

Except as provided in subsections (b) or (c), Class IV: Other Groundwater standards are equal to the existing concentrations of constituents in groundwater.

## b)

For groundwater within a zone of attenuation as provided in 35 Ill. Adm. Code 811 and 814, the standards specified in Section 620.420 must not be exceeded, except for concentrations of contaminants within leachate released from a permitted unit.

## c)

For groundwater within a previously mined area, the standards set forth in Section 620.420 must not be

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exceeded, except for concentrations of TDS, chloride, iron, manganese, sulfates, or pH. For concentrations of TDS, chloride, iron, manganese, sulfates, or pH, the standards are the existing concentrations.

## Section 620.450 Alternative Groundwater Quality Standards

## a) Groundwater Quality Restoration Standards

1) Any chemical constituent in groundwater within a groundwater management zone is subject to this Section.

2) Except as provided in subsections (a)(3) or (a)(4), the standards as specified in Sections 620.410, 620.420, 620.430, and 620.440 apply to any chemical constituent in groundwater within a groundwater management zone.

3) Prior to completion of a corrective action described in Section 620.250(a), the standards as specified in Sections 620.410, 620.420, 620.430, and 620.440 are not applicable to such released chemical constituent, provided that the initiated action proceeds in a timely and appropriate manner.

4) After completion of a corrective action as described in Section 620.250(a), the standard for such released chemical constituent is:

A) The standard as set forth in Section 620.410, 620.420, 620.430, or 620.440, if the concentration as determined by groundwater monitoring of such constituent is less than or equal to the standard for the appropriate class set forth in those sections; or

B) The concentration as determined by groundwater monitoring, if such concentration exceeds the standard for the appropriate class set forth in Section 620.410, 620.420, 620.430, or 620.440 for such constituent, and:

i) To the extent practicable, the exceedance has been minimized and beneficial use, as appropriate for the



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class of groundwater, has been returned;  
and

- ii) Any threat to public health or the environment has been minimized.

- 5) The Agency shall develop and maintain a listing of concentrations derived pursuant to subsection (a)(4)(B). This list shall be made available to the public and be updated periodically, but no less frequently than semi-annually. This listing shall be published in the Environmental Register.

b) Coal Reclamation Groundwater Quality Standards

- 1) Any inorganic chemical constituent or pH in groundwater, within an underground coal mine, or within the cumulative impact area of groundwater for which the hydrologic balance has been disturbed from a permitted coal mine area pursuant to the Surface Coal Mining Land Conservation and Reclamation Act (Ill. Rev. Stat. 1989, ch. 96 1/2, pars. 7901.1 et seq., as amended) and 62 Ill. Adm. Code 1700 through 1850, is subject to this Section.

- 2) Prior to completion of reclamation at a coal mine, the standards as specified in Sections 620.410(a) and (d), 620.420(a) and (e), 620.430 and 620.440 are not applicable to inorganic constituents and pH.

- 3) After completion of reclamation at a coal mine, the standards as specified in Sections 620.410(a) and (d), 620.420(a), 620.430, and 620.440 are applicable to inorganic constituents and pH, except:

- A) The concentration of total dissolved solids (TDS) must not exceed:

- i) The post-reclamation concentration or 3000 mg/L, whichever is less, for groundwater within the permitted area; or

- ii) The post-reclamation concentration of TDS must not exceed the post-reclamation

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concentration or 5000 mg/L, whichever is less, for groundwater in underground coal mines and in permitted areas reclaimed after surface coal mining if the Illinois Department of Mines and Minerals and the Agency have determined that no significant resource groundwater existed prior to mining (62 Ill. Adm. Code 1780.21(f) and (g)); and

- B) For chloride, iron, manganese and sulfate, the post-reclamation concentration within the permitted area must not be exceeded.

- C) For pH, the post-reclamation concentration within the permitted area must not be exceeded within Class I: Potable Resource Groundwater as specified in Section 620.210(a)(4).

- 4) A refuse disposal area (not contained within the area from which overburden has been removed) is subject to the inorganic chemical constituent and pH requirements of:

- A) 35 Ill. Adm. Code 303.203 for such area that was placed into operation after February 1, 1983, and before the effective date of this Part, provided that the groundwater is a present or a potential source of water for public or food processing;

- B) Section 620.440(c) for such area that was placed into operation prior to February 1, 1983, and has remained in continuous operation since that date; or

- C) Subpart D for such area that is placed into operation on or after the effective date of this Part.

- 5) For a refuse disposal area (not contained within the area from which overburden has been removed) that was placed into operation prior to February 1, 1983, and is modified after that date to include additional area, this Section applies to the area that meets the requirements of subsection



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(b)(4)(C) and the following applies to the additional area:

- A) 35 Ill. Adm. Code 303.203 for such additional refuse disposal area that was placed into operation after February 1, 1983, and before the effective date of this Part, provided that the groundwater is a present or a potential source of water for public or food processing; and
- B) Subpart D for such additional area that was placed into operation on or after the effective date of this Part.

6) A coal preparation plant (not located in an area from which overburden has been removed) which contains slurry material, sludge or other precipitated process material, is subject to the inorganic chemical constituent and pH requirements of:

- A) 35 Ill. Adm. Code 303.203 for such plant that was placed into operation after February 1, 1983, and before the effective date of this Part, provided that the groundwater is a present or a potential source of water for public or food processing;

B) Section 620.440(c) for such plant that was placed into operation prior to February 1, 1983, and has remained in continuous operation since that date; or

- C) Subpart D for such plant that is placed into operation on or after the effective date of this Part.

7) For a coal preparation plant (not located in an area from which overburden has been removed) which contains slurry material, sludge or other precipitated process material, that was placed into operation prior to February 1, 1983, and is modified after that date to include additional area, this Section applies to the area that meets the requirements of subsection (b)(6)(C) and the following applies to the additional area:

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- A) 35 Ill. Adm. Code 303.203 for such additional area that was placed into operation after February 1, 1983, and before the effective date of this Part, provided that the groundwater is a present or a potential source of water for public or food processing; and
- B) Subpart D for such additional area that was placed into operation on or after the effective date of this Part.

## SUBPART E: GROUNDWATER MONITORING AND ANALYTICAL PROCEDURES

## Section 620.505 Compliance Determination

- a) Compliance with standards at a site is to be determined as follows:
- 1) For a structure (e.g., buildings), at the closest practical distance beyond the outermost edge for the structure.

2) For groundwater that underlies a potential primary or secondary source, the outermost edge as specified in Section 620.240(e)(1).

3) For groundwater that underlies a coal mine refuse disposal area, a coal combustion waste disposal area, or an impoundment that contains sludge, slurry, or precipitated process material at a coal preparation plant, the outermost edge as specified in Section 620.240(f)(1) or location of monitoring wells in existence as of the effective date of this Part on a permitted site.

4) For a groundwater management zone, as specified in a corrective action process.

5) At any point at which groundwater monitoring is conducted using any water well or monitoring well that meets the following conditions:

- A) For a potable well other than a community water supply well, a construction report has been filed with the Department of Public Health for such potable well, or such well has been located and constructed (or



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reconstructed) to meet the Illinois Water Well Construction Code (Ill. Rev. Stat. 1989, ch. 111 1/2, pars. 116.111 et seq., as amended) and 35 Ill. Adm. Code 920.

B) For a community water supply well, such well has been permitted by the Agency, or has been constructed in accordance with 35 Ill. Adm. Code 602.115.

C) For a water well other than a potable water well (e.g., a livestock watering well or an irrigation well), a construction report has been filed with the Department of Public Health or the Department of Mines and Minerals for such well, or such well has been located and constructed (or reconstructed) to meet the Illinois Water Well Construction Code (Ill. Rev. Stat. 1989, ch. 111 1/2, pars. 116.111 et seq., as amended) and 35 Ill. Adm. Code 920.

D) For a monitoring well, such well meets the following requirements:

- i) Construction must be done in a manner that will enable the collection of groundwater samples;
- ii) Casings and screens must be made from durable material resistant to expected chemical or physical degradation that do not interfere with the quality of groundwater samples being collected; and
- iii) The annular space opposite the screened section of the well (i.e., the space between the bore hole and well screen) must be filled with gravel or sand if necessary to collect groundwater samples. The annular space above and below the well screen must be sealed to prevent migration of water from adjacent formations and the surface to the sampled depth.

b) For a spring, compliance with this Subpart shall be determined at the point of emergence.

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Section 620.510 Monitoring and Analytical Requirements

a) Representative Samples

A representative sample must be taken from locations as specified in Section 620.505.

b) Sampling and Analytical Procedures

1) Samples must be collected in accordance with the procedures set forth in the documents pertaining to groundwater monitoring and analysis, "Methods for Chemical Analysis of Water and Wastes," "Methods for the Determination of Organic Compounds in Drinking Water," "Practical Guide for Ground-Water Sampling," "Test Methods for Evaluating Solid Wastes, Physical/Chemical Methods" (SW-846), "Techniques of Water Resources Investigations of the United States Geological Survey, Guidelines for Collection and Field Analysis of Ground-Water Samples for Selected Unstable Constituents", incorporated by reference at Section 620.125 or other procedures adopted by the appropriate regulatory agency.

2) Groundwater elevation in a groundwater monitoring well must be determined and recorded when necessary to determine the gradient.

3) The analytical methodology used for the analysis of constituents in Subparts C and D must be consistent with both of the following:

- A) The methodology must have a PQL at or below the preventive response levels of Subpart C or the groundwater standard set forth in Subpart D, whichever is applicable; and
- B) The methodology must be consistent with methodologies contained in "Methods for Chemical Analysis of Water and Wastes", "Methods for the Determination of Organic Compounds in Drinking Water", "Practical Guide for Ground-Water Sampling", "Test Methods for Evaluating Solid Wastes, Physical/Chemical Methods" (SW-846), "Techniques of Water Resources Investigations



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of the United States Geological Survey, Guidelines for Collection and Field Analysis of Ground-Water Samples for Selected Unstable Constituents", incorporated by reference at Section 620.125.

## c) Reporting Requirements

At a minimum, groundwater monitoring analytical results must include information, procedures and techniques for:

- 1) Sample collection (including but not limited to name of sample collector, time and date of the sample, method of collection, and identification of the monitoring location);
- 2) Sample preservation and shipment (including but not limited to field quality control);
- 3) Analytical procedures (including but not limited to the method detection limits and the PQLs); and
- 4) Chain of custody control.

## SUBPART F: HEALTH ADVISORIES

## Section 620.601

## Purpose of a Health Advisory

This Subpart establishes procedures for the issuance of a Health Advisory that sets forth guidance levels that, in the absence of standards under Section 620.410, must be considered by the Agency in:

- a) Establishing groundwater cleanup or action levels whenever there is a release or substantial threat of a release of:
  - 1) A hazardous substance or pesticide; or
  - 2) Other contaminant that represents a significant hazard to public health or the environment.
- b) Determining whether the community water supply is taking its raw water from a site or source consistent with the siting and source water requirements of 35 Ill. Adm. Code 611.114 and 611.115.

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- c) Developing Board rulemaking proposals for new or revised numerical standards.
- d) Evaluating mixtures of chemical substances.

## Section 620.605

## Issuance of a Health Advisory

- a) The Agency shall issue a Health Advisory for a chemical substance if all of the following conditions are met:

- 1) A community water supply well is sampled and a substance is detected and confirmed by resampling;
- 2) There is no standard under Section 620.410 for such chemical substance; and
- 3) The chemical substance is toxic or harmful to human health according to the procedures of Appendix A, B, or C.

- b) The Health Advisory must contain a general description of the characteristics of the chemical substance, the potential adverse health effects, and a guidance level to be determined as follows:

- 1) If disease or functional impairment is caused due to a physiological mechanism for which there is a threshold dose below which no damage occurs, the guidance level for any such substance is the Maximum Contaminant Level Goal ("MCLG"), adopted by USEPA for such substance, 56 Fed. Reg. 26460-26564, and 56 Fed. Reg. 3526-3597, incorporated by reference at Section 620.125. If there is no MCLG for the substance, the guidance level is the Human Threshold Toxicant Advisory Concentration for such substance as determined in accordance with Appendix A, unless the concentration for such substance is less than the lowest appropriate PQL specified in "Test Methods for Evaluating Solid Wastes, Physical/Chemical Methods", EPA Publication No. SW-846 (SW-846), incorporated by reference at Section 620.125 for the substance. If the concentration for such substance is less than the lowest appropriate PQL for the substance specified in SW-846, incorporated by reference at Section 620.125, the guidance level is the lowest appropriate PQL.



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- 2) If the chemical substance is a carcinogen, the guidance level for any such chemical substance is the lowest appropriate PQL specified in SW-846, incorporated by reference at Section 620.125 for such substance.

## Section 620.610 Publishing Health Advisories

- a) The Agency shall publish the full text of each Health Advisory upon issuance and make the document available to the public.
- b) The Agency shall publish and make available to the public, at intervals of not more than 6 months, a comprehensive and up-to-date summary list of all Health Advisories.

## Section 620.615 Additional Health Advice for Mixtures of Similar-Acting Substances

- a) The need for additional health advice appropriate to site-specific conditions shall be determined by the Agency when mixtures of chemical substances are detected, where two or more of the chemical substances are similar-acting in their toxic or harmful physiological effect on the same specific organ or organ system.
- b) If mixtures of similar-acting chemical substances are present, the procedure for evaluating the mixture of such substances is specified in accordance with Appendices A, B, and C.

## Section 620.Appendix A Procedures for Determining Human Threshold Toxicant Advisory Concentration for Class I: Potable Resource Groundwater

- a) Calculating the Human Threshold Toxicant Advisory Concentration

For those substances for which USEPA has not adopted a Maximum Contaminant Level Goal ("MCLG"), the Human Threshold Toxicant Advisory Concentration is calculated as follows:

$$\text{HTTAC} = \text{RSC} \times \text{ADE/W}$$

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Where:

HTTAC = Human Threshold Toxicant Advisory Concentration in milligrams per liter (mg/L);

RSC = Relative contribution of the amount of the exposure to a chemical via drinking water when compared to the total exposure to that chemical from all sources. Valid chemical-specific data shall be used if available. If valid chemical-specific data are not available, a value of 20% (=0.20) must be used;

ADE = Acceptable Daily Exposure of substance in milligrams per day (mg/d) as determined pursuant to subsection (b); and

W = Per capita daily water consumption equal to 2 liters per day (L/d).

- b) Procedures for Determining Acceptable Daily Exposures for Class I: Potable Resource Groundwater

- 1) The Acceptable Daily Exposure (ADE) represents the maximum amount of a threshold toxicant in milligrams per day (mg/d) which if ingested daily for a lifetime results in no adverse effects to humans. Subsections (b)(2) through (b)(6) list, in prescribed order, methods for determining the ADE in Class I: Potable Resource Groundwater.

- 2) For those substances for which the USEPA has derived a Verified Oral Reference Dose for humans, USEPA's Reference Dose given in milligrams per kilogram per day (mg/kg/d), as determined in accordance with methods provided in National Primary and Secondary Drinking Water Regulations; Final Rule, 56 Fed. Reg. 3526-3597, (January 30, 1991), incorporated by reference at Section 620.125, must be used. The ADE equals the product of multiplying the Reference Dose by 70 kilograms (kg), which is the assumed average weight of an adult human.

- 3) For those substances for which a no observed adverse effect level for humans (NOAEL-H) exposed to the substance has been derived, the ADE equals



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the product of multiplying one-tenth of the NOAEL-H given in milligrams of toxicant per kilogram of body weight per day (mg/kg/d) by the average weight of an adult human of 70 kilograms (kg). If two or more studies are available, the lowest NOAEL-H must be used in the calculation of the ADE.

- 4) For those substances for which only a lowest observed adverse effect level for humans (LOAEL-H) exposed to the substance has been derived, one-tenth the LOAEL-H must be substituted for the NOAEL-H in subsection (b)(3).

- 5) For those substances for which a no observed adverse effect level has been derived from studies of mammalian test species (NOAEL-A) exposed to the substance, the ADE equals the product of multiplying 1/100 of the NOAEL-A given in milligrams toxicant per kilogram of test species weight per day (mg/kg/d) by the average weight of an adult human of 70 kilograms (kg). Preference will be given to animal studies having High Validity, as defined in subsection (c), in the order listed in that subsection. Studies having a Medium Validity must be considered if no studies having High Validity are available. If studies of Low Validity must be used, the ADE must be calculated using 1/1000 of the NOAEL-A having Low Validity instead of 1/100 of the NOAEL-A of High or Medium Validity, except as described in subsection (b)(6). If two or more studies among different animal species are equally valid, the lowest NOAEL-A among animal species must be used in the calculation of the ADE. Additional considerations in selecting the NOAEL-A include:

- A) If the NOAEL-A is given in milligrams of toxicant per liter of water consumed (mg/L), prior to calculating the ADE the NOAEL-A must be multiplied by the average daily volume of water consumed by the mammalian test species in liters per day (l/d) and divided by the average weight of the mammalian test species in kilograms (kg).
- B) If the NOAEL-A is given in milligrams of toxicant per kilogram of food consumed

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(mg/kg), prior to calculating the ADE, the NOAEL-A must be multiplied by the average amount in kilograms of food consumed daily by the mammalian test species (kg/d) and divided by the average weight of the mammalian test species in kilograms (kg).

- C) If the mammalian test species was not exposed to the toxicant each day of the test period, the NOAEL-A must be multiplied by the ratio of days of exposure to the total days of the test period.

- D) If more than one equally valid NOAEL-A is available for the same mammalian test species, the best available data must be used.

- 6) For those substances for which a NOAEL-A is not available but the lowest observed adverse effect level (LOAEL-A) has been derived from studies of mammalian test species exposed to the substance, one-tenth of the LOAEL-A may be substituted for the NOAEL-A in subsection (b)(5). The LOAEL-A must be selected in the same manner as that specified in subsection (b)(5). One-tenth the LOAEL-A from a study determined to have Medium Validity may be substituted for a NOAEL-A in subsection (b)(3) if the NOAEL-A is from a study determined to have Low Validity, or if the toxicity endpoint measured in the study having the LOAEL-A of Medium Validity is determined to be more biologically relevant than the toxicity endpoint measured in the study having the NOAEL-A of Low Validity.

- c) Procedures for Establishing Validity of Data from Animal Studies

- 1) High Validity Studies

- A) High validity studies use a route of exposure by ingestion or gavage, and are based upon:

- i) Data from animal carcinogenicity studies with a minimum of 2 dose levels and a control group, 2 species, both sexes, with 50 animals per dose per sex, and at least 50 percent survival at 15 months



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- in mice and 18 months in rats and at least 25 percent survival at 18 months in mice and 24 months in rats;
- ii) Data from animal chronic studies with a minimum of 3 dose levels and a control group, 2 species, both sexes, with 40 animals per dose per sex, and at least 50 percent survival at 15 months in mice and 18 months in rats and at least 25 percent survival at 18 months in mice and 24 months in rats, and a well-defined NOEL; or
- iii) Data from animal subchronic studies with a minimum of 3 dose levels and control, 2 species, both sexes, 4 animals per dose per sex for non-rodent species or 10 animals per dose per sex for rodent species, a duration of at least 5% of the test species' lifespan, and a well-defined NOEL.
- B) Supporting studies which reinforce the conclusions of a study of Medium Validity may be considered to raise such a study to High Validity.
- 2) Medium Validity Studies
- Medium validity studies are based upon:
- A) Data from animal carcinogenicity, chronic, or subchronic studies in which minor deviations from the study design elements required for a High Validity Study are found, but which otherwise satisfy the standards for a High Validity Study;
- B) Data from animal carcinogenicity and chronic studies in which at least 25 percent survival is reported at 15 months in mice and 18 months in rats (a lesser survival is permitted at the conclusion of a longer duration study, but the number of surviving animals should not fall below 20 percent per dose per sex at 18 months for mice and 24

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- months for rats), but which otherwise satisfy the standards for a High Validity Study;
- C) Data from animal subchronic or chronic studies in which a Lowest Observable Adverse Effect Level (LOAEL) is determined, but which otherwise satisfy the standards for a High Validity Study; or
- D) Data from animal subchronic or chronic studies which have an inappropriate route of exposure (for example, intraperitoneal injection or inhalation) but which otherwise satisfy the standards for a High Validity Study, with correction factors for conversion to the oral route.
- 3) Low Validity Studies
- Low validity studies are studies not meeting the standards set forth in subsection (c) (1) or (c) (2).
- Section 620. Appendix B Procedures for Determining Hazard Indices for Class I: Potable Resource Groundwater for Mixtures of Similar-Acting Substances
- a) This appendix describes procedures for evaluating mixtures of similar-acting substances which may be present in Class I: Potable Resource Groundwaters. Except as provided otherwise in subsection (c), subsections (d) through (h) describe the procedure for determining the Hazard Index for mixtures of similar-acting substances.
- b) For the purposes of this appendix, a "mixture" means two or more substances which are present in Class I: Potable Resource Groundwater which may or may not be related either chemically or commercially, but which are not complex mixtures of related isomers and congeners which are produced as commercial products (for example, PCBs or technical grade chlordane).
- c) The following substances listed in Section 620.410 are mixtures of similar acting substances:



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- 1) Mixtures of ortho-Dichlorobenzene and para-Dichlorobenzene. The Hazard Index ("HI") for such mixtures is determined as follows:

$$HI = [\text{ortho-Dichlorobenzene}] \backslash 0.6 + [\text{para-Dichlorobenzene}] \backslash 0.075$$

- 2) Mixtures of 1,1-Dichloroethylene and 1,1,1-trichloroethane. The Hazard Index ("HI") for such mixtures is determined as follows:

$$HI = [1,1\text{-Dichloroethylene}] \backslash 0.007 + [1,1,1\text{-trichloroethane}] \backslash 0.2$$

- d) When two or more substances occur together in a mixture, the additivity of the toxicities of some or all of the substances will be considered when determining health-based standards for Class I: Potable Resource Groundwater. This is done by the use of a dose addition model with the development of a Hazard Index for the mixture of substances with similar-acting toxicities. This method does not address synergism or antagonism. Guidelines for determining when the dose addition of similar-acting substances is appropriate are presented in Appendix C.

The Hazard Index is calculated as follows:

$$HI = [A] \backslash ALA + [B] \backslash ALB + \dots + [I] \backslash ALI$$

Where:

HI = Hazard Index, unitless.

[A], [B], [I] = Concentration of each similar-acting substance in groundwater in milligrams per liter (mg/L).

ALA, ALB, ALI = The acceptable level of each similar-acting substance in the mixture in milligrams per liter (mg/L).

- e) For substances which are considered to have a threshold mechanism of toxicity, the acceptable level is:

- 1) The standards listed in Section 620.410; or

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- 2) For those substances for which standards have not been established in Section 620.410, the Human Threshold Toxicant Advisory Concentration (HTTAC) as determined in Appendix A.

- f) For substances which are carcinogens, the acceptable level is:

- 1) The standards listed in Section 620.410; or

- 2) For those substances for which standards have not been established under Section 620.410, the lowest appropriate PQL of USEPA-approved analytical methods specified in SW-846, incorporated by reference at Section 620.125, for each substance.

- g) Since the assumption of dose addition is most properly applied to substances that induce the same effect by similar modes of action, a separate HI must be generated for each toxicity endpoint of concern.

- h) In addition to meeting the individual substance objectives, a Hazard Index must be less than or equal to 1 for a mixture of similar-acting substances.

Section 620. Appendix C Guidelines for Determining When Dose Addition of Similar-Acting Substances in Class I: Potable Resource Groundwaters is Appropriate

- a) Substances must be considered similar-acting if:

- 1) The substances have the same target in an organism (for example, the same organ, organ system, receptor, or enzyme).

- 2) The substances have the same mode of toxic action. These actions may include, for example, central nervous system depression, liver toxicity, or cholinesterase inhibition.

- b) Substances that have fundamentally different mechanisms of toxicity (threshold toxicants vs. carcinogens) must not be considered similar-acting. However, carcinogens which also cause a threshold toxic effect should be considered in a mixture with other similar-acting substances having the same threshold toxic effect. In such a case, an Acceptable Level for the carcinogen



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must be derived for its threshold effect, using the procedures described in Appendix A.

- c) Substances which are components of a complex mixture of related compounds which are produced as commercial products (for example, PCBs or technical grade chlordane) are not mixtures, as defined in Appendix B. Such complex mixtures are equivalent to a single substance. In such a case, the Human Threshold Toxicant Advisory Concentration may be derived for threshold effects of the complex mixture, using the procedures described in Appendix A, if valid toxicological or epidemiological data are available for the complex mixture. If the complex mixture is a carcinogen, the Health Advisory Concentration is the lowest appropriate PQL of USEPA-approved analytical methods specified in SW-846, incorporated by reference at Section 620.125.

Section 620. Appendix D      Confirmation of an Adequate Corrective Action Pursuant to 35 Ill. Adm. Code 620.250 (a)(2).

Pursuant to 35 Ill. Adm. Code 620.250(a) if an owner or operator provides a written confirmation to the Agency that an adequate corrective action, equivalent to a corrective action process approved by the Agency, is being undertaken in a timely and appropriate manner, then a groundwater management zone may be established as a three-dimensional region containing groundwater being managed to mitigate impairment caused by the release of contaminants from a site. This document provides the form in which the written confirmation is to be submitted to the Agency.

Note 1.      Parts I and II are to be submitted to IEPA at the time that the facility claims the alternative groundwater standards. Part III is to be submitted at the completion of the site investigation. At the completion of the corrective process, a final report is to be filed which includes the confirmation statement included in Part IV.

Note 2.      The issuance of a permit by IEPA's Division of Air Pollution Control or Water Pollution Control for a treatment system does not imply that the Agency has approved the corrective action process.

Note 3.      If the facility is conducting a cleanup of a unit which is subject to the requirements of the Resource

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Conservation and Recovery Act (RCRA) or the 35 Ill. Adm. Code 731 regulations for Underground Storage Tanks, this confirmation process is not applicable and cannot be used.

Note 4.      If the answers to any of these questions require explanation or clarification, provide such in an attachment to this document.

Part I. Facility Information

Facility Name \_\_\_\_\_  
Facility Address \_\_\_\_\_

County \_\_\_\_\_  
Standard Industrial Code (SIC) \_\_\_\_\_

1.      Provide a general description of the type of industry, products manufactured, raw materials used, location and size of the facility.

2.      What specific units (operating or closed) are present at the facility which are or were used to manage waste, hazardous waste, hazardous substances or petroleum?

	YES	NO
Landfill	_____	_____
Surface Impoundment	_____	_____
Land Treatment	_____	_____
Spray Irrigation	_____	_____
Waste Pile	_____	_____
Incinerator	_____	_____
Storage Tank (above ground)	_____	_____
Storage Tank (underground)	_____	_____
Container Storage Area	_____	_____
Injection Well	_____	_____
Water Treatment Units	_____	_____
Septic Tanks	_____	_____
French Drains	_____	_____
Transfer Station	_____	_____
Other Units (Please describe) _____	_____	_____

3.      Provide an extract from a USGS topographic or county map showing the location of the site and a more detailed scaled map of the facility with each waste management unit identified in Question 2 or



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known/suspected source clearly identified. Map scale must be specified and the location of the facility must be provided with respect to Township, Range and Section.

4. Has the facility ever conducted operations which involved the generation, manufacture, processing, transportation, treatment, storage or handling of "hazardous substances" as defined by the Illinois Environmental Protection Act? Yes      No      If the answer to this question is "yes" generally describe these operations.
5. Has the facility generated, stored or treated hazardous waste as defined by the Resource Conservation and Recovery Act? Yes      No      If the answer to this question is "yes" generally describe these operations.
6. Has the facility conducted operations which involved the processing, storage or handling of petroleum? Yes      No      If the answer to this question is "yes" describe these operations.
7. Has the facility ever held any of the following permits?
  - a. Permits for any waste storage, waste treatment or waste disposal operation. Yes      No      If the answer to this question is "yes", identify the IEPA permit numbers.
  - b. Interim Status under the Resources Conservation and Recovery Act (filing of a RCRA Part A application). Yes      No      If the answer to this question is "yes", attach a copy of the last approved Part A application.
  - c. RCRA Part B Permits. Yes      No      If the answer to this question is "yes", identify the permit log number.
8. Has the facility ever conducted the closure of a RCRA hazardous waste management unit? Yes      No
9. Have any of the following State or federal government actions taken place for a release at the facility?

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- a. Written notification regarding known, suspected or alleged contamination on or emanating from the property (e.g., a Notice pursuant to Section 4(q) of the Environmental Protection Act)? Yes      No      If the answer to this question is "yes", identify the caption and date of issuance.
- b. Consent Decree or Order under RCRA, CERCLA, EPACT Section 22.2 (State Superfund), or EPACT Section 21(f) (State RCRA). Yes      No
- c. If either of Items a or b were answered by checking "yes", is the notice, order or decree still in effect? Yes      No
10. What groundwater classification will the facility be subject to at the completion of the remediation? Class I      Class II      Class III      Class IV      If more than one class applies, please explain.
11. Describe the circumstances which the release to groundwater was identified.

Based on my inquiry of those persons directly responsible for gathering the information, I certify that the information submitted is, to the best of my knowledge and belief, true and accurate.

Facility Name	Signature of Owner/Operator
Location of Facility	Name of Owner/Operator
EPA Identification Number	Date
PART II: Release Information	
1. Identify the chemical constituents released to the groundwater. Attach additional documents as necessary.	
Chemical Description	Chemical Abstract No.



- Describe how the site will be investigated to determine the source or sources of the release.
- Describe how groundwater will be monitored to determine the rate and extent of the release.
- Has the release been contained on-site at the facility?
- Describe the groundwater monitoring network and groundwater and soil sampling protocols in place at the facility.
- Provide the schedule for investigation and monitoring.
- Describe the laboratory quality assurance program utilized for the investigation.
- Provide a summary of the results of available soil testing and groundwater monitoring associated with the release at the facility. The summary of results should provide the following information: dates of sampling; types of samples taken (soil or water); locations and depths of samples; sampling and analytical methods; analytical laboratories used; chemical constituents for which analyses were performed; analytical detection limits; and concentrations of chemical constituents in ppm (levels below detection should be identified as "ND").

Based on my inquiry of those persons directly responsible for gathering the information, I certify that the information submitted is, to the best of knowledge and belief, true and accurate and confirm that the actions identified herein will be undertaken in accordance with the schedule set forth herein.

Facility Name	Signature of Owner/Operator
Location of Facility	Name of Owner/Operator
EPA Identification Number	Date

Part III: Remedy Selection Information

- Describe the selected remedy.

- Describe other remedies which were considered and why they were rejected.
- Will waste, contaminated soil or contaminated groundwater be removed from the site in the course of this remediation? Yes        No        If the answer to this question is "yes", where will the contaminated material be taken?
- Describe how the selected remedy will accomplish the maximum practical restoration of beneficial use of groundwater.
- Describe how the selected remedy will minimize any threat to public health or the environment.
- Describe how the selected remedy will result in compliance with the applicable groundwater standards.
- Provide a schedule for design, construction and operation of the remedy, including dates for the start and completion.
- Describe how the remedy will be operated and maintained.
- Have any of the following permits been issued for the remediation?
  - Construction or Operating permit from the Division of Water Pollution Control. Yes        No
  - Land treatment permit from the Division of Water Pollution Control. Yes        No        If the answer to this question is "yes", identify the permit number.
  - Construction or Operating permit from the Division of Air Pollution Control. Yes        No        If the answer to this question is "yes", identify the permit number.
- How will groundwater at the facility be monitored following completion of the remedy to ensure that the groundwater standards have been attained?

Based on my inquiry of those persons directly responsible for gathering the information, I certify that the information



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submitted is, to the best of my knowledge and belief, true and accurate and confirm that the actions identified herein will be undertaken in accordance with the schedule set forth herein.

Facility Name	Signature of Owner/Operator
Location of Facility	Name of Owner/Operator
EPA Identification Number	Date

PART IV: Completion Certification

This certification must accompany documentation which includes soil and groundwater monitoring data demonstrating successful completion of the corrective process described in Parts I-III.

Facility Name	
Facility Address	
County	
Standard Industrial Code (SIC)	
Date	

Based on my inquiry of those persons directly responsible for gathering the information, I certify that an adequate corrective action, equivalent to a corrective action process approved by the Agency, has been undertaken and that the following restoration concentrations are being met:

Chemical Name	Chemical Abstract No.	Concentration (mg/l)

Facility Name	Signature of Owner/Operator
Location of Facility	Name of Owner/Operator
EPA Identification Number	Date

ILLINOIS REGISTER

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NOTICE OF ADOPTED REPEALER

- 1) The Heading of the Part: Hazardous Air Pollutants
- 2) The Code Citation: 35 Ill. Adm. Code 231

Section Number:	Adopted Action:
231.110	Repeal
231.120	Repeal
231.122	Repeal
231.130	Repeal
231.140	Repeal
231.150	Repeal
231.160	Repeal
231.180	Repeal
231.190	Repeal
231.200	Repeal
231.210	Repeal
231.230	Repeal
231.240	Repeal
231.250	Repeal
231.260	Repeal
231.320	Repeal
231.330	Repeal
231.App.A	Repeal
231.App.B	Repeal
231.App.C	Repeal
231.Tab.A	Repeal

- 4) Statutory Authority: Ill. Rev. Stat. 1989, ch. 111 $\frac{1}{2}$ , pars. 1010 and 1027.
- 5) Effective Date of Amendments: November 26, 1991
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this amendment contain incorporations by reference? No
- 8) Date Filed in Agency's Principal Office: August 8, 1991
- 9) Notice(s) of Proposal Published in Illinois Register:  
15 Ill. Reg. 0730, January 25, 1991
- 10) Has JCAR issued a Statement of Objections to this Rule? No
- 11) Difference(s) between proposal and final version:  
So as to avoid confusion in the repeal of Part 231 the



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following language will be added.

(BOARD NOTE: All regulations promulgated by the U.S. Environmental Protection Agency under Section 112 of the Clean Air Act (42 USC 7411) as amended...RELATING TO THE ESTABLISHMENT OF NATIONAL EMISSION STANDARDS FOR HAZARDOUS AIR POLLUTANTS (NESHAPS)...ARE APPLICABLE, without formal adoption by the Board, IN THIS STATE AND ARE ENFORCEABLE UNDER (THE ENVIRONMENTAL PROTECTION ACT). (ILL. REV. STAT. 1989, CH. 111-1/2, PAR. 1009.1(b)).

- 12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes
- 13) Will this amendment replace an emergency rule currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Rule(s):

On May 11, 1989 the Board, on its own motion, proposed the above-captioned rulemaking for First Notice. The Board held two hearings in this matter, one in Chicago on August 16, 1989 and the other in Urbana on August 23, 1989. As the result of comments at hearing by the Illinois Environmental Protection Agency ("Agency") and the Illinois Manufacturers Association ("IMA"), the Board split this proceeding into two dockets on September 13, 1989. Docket A has since been adopted as a final rule.

Today the Board is proposing Docket B, the repeal of 35 Ill. Adm. Code Parts 230 and 231 in their entirety, for Final Adoption. This docket was adopted by the Board for First Notice on December 20, 1990 and published in the Illinois Register on January 25, 1991 at 15 Ill. Reg. 0780. The Board went to Second Notice with this proposal on April 25, 1991. The Joint Committee on Administrative Rules requested that we incorporate some minor charges and we have done so. Part 230 constitutes the Board's New Source Performance Standards (NSPS) adopted by peremptory rulemakings between 1979 and 1987. Part 231 constitutes the National Emission Standards for Hazardous Air Pollutants (NESHAPS) also adopted by peremptory rulemaking between 1980 and 1987. Prior to 1987, the Board was required to adopt the NSPS and NESHAPS provisions by resolution, even though they were automatically enforceable in Illinois upon Federal promulgation. However, in 1987, Section 9.1 of the Environmental Protection Act (Act) was amended to eliminate the

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requirement for Board action. As a result, the Board is no longer required to formally adopt NSPS and NESHAPS provisions. The NSPS and NESHAPS continue to become effective immediately upon their adoption by the United States Environmental Protection Agency ("USEPA").

As new NSPS and NESHAPS are promulgated by USEPA and become enforceable in Illinois pursuant to Section 9.1 of the Act, the existing regulations earlier adopted may become outdated or even inconsistent with the updated standards, causing possible confusion to the regulated community. In repealing these parts, the Board stresses that this action is not intended to and does not cause any substantive amendment to the existing NSPS and NESHAPS provisions enforceable under Section 9.1 of the Act.

As the Agency stated in its comments made at hearing, a problem arises due to the fact that other sections of the Board's air regulations reference the NSPS and NESHAPS provisions proposed for repeal. Consequently, these sections, which are found within 35 Ill. Adm. Code Parts 201, 212 and 215, must be amended to replace reference to Parts 230 and 231 with language indicating the automatic enforceability of USEPA NSPS and NESHAPS regulations through Section 9.1 of the Act. Specifically, the sections of the Board's regulations which contain cross-references to NSPS or NESHAPS regulations in Parts 230 and 231 are as follows:

201.102  
201.401(a)(1)(B)(iii)  
201.401(a)(1)(D)  
201.401(b)  
212.205  
212.443(b)(2)(A)  
212.443(b)(2)(B)  
212.443(b)(3)  
212.443(c)(1)(B)  
212.443(c)(2)(A)  
212.443(c)(2)(B)  
215.123(a)(5)

Three other Sections also containing references to Parts 230 and 231 were not included at Second Notice and cannot be included here. Those sections will be corrected in a separate docket. This will in no way change the affected sections or the existing NSPS and NESHAPS Provisions enforceable under Section 9.1 of the Act.



16) Information and questions regarding this adopted rule shall be directed to:

Timothy P. Dwyer  
100 W. Randolph Street  
State of Illinois Center  
Suite 11-500  
Chicago, IL 60601  
(312) 814-6923

The full text of the adopted rule(s) begins on the following page:

TITLE 35: ENVIRONMENTAL PROTECTION  
SUBTITLE B: AIR POLLUTION  
CHAPTER I: POLLUTION CONTROL BOARD  
SUBCHAPTER e: PEREMPTORY RULES

PART 231  
HAZARDOUS AIR POLLUTANTS (REPEALED)

SOURCE: Repealed in R89-7(B) at 15 Ill. Reg. 17676 effective November 26, 1991.

(BOARD NOTE: All regulations promulgated by the U.S. Environmental Protection Agency under Section 112 of the Clean Air Act (42 usc 7411) as amended...RELATING TO THE ESTABLISHMENT OF NATIONAL EMISSION STANDARDS FOR HAZARDOUS AIR POLLUTANTS (NESHAPS)...ARE APPLICABLE, without formal adoption by the Board, IN THIS STATE AND ARE ENFORCEABLE UNDER (THE ENVIRONMENTAL PROTECTION ACT). (ILL. REV. STAT. 1989, CH. 111-1/1, PAR. 1009.1(b)).



POLLUTION CONTROL BOARD  
NOTICE OF ADOPTED REPEALER

- 1) The Heading of the Part: New Source Performance Standard  
2) The Code Citation: 35 Ill. Adm. Code 230  
3) Section Number: Adopted Action:

230.110 Repeal  
230.140 Repeal  
230.141 Repeal  
230.142 Repeal  
230.150 Repeal  
230.160 Repeal  
230.170 Repeal  
230.180 Repeal  
230.190 Repeal  
230.200 Repeal  
230.210 Repeal  
230.211 Repeal  
230.212 Repeal  
230.220 Repeal  
230.230 Repeal  
230.240 Repeal  
230.241 Repeal  
230.250 Repeal  
230.260 Repeal  
230.270 Repeal  
230.280 Repeal  
230.290 Repeal  
230.300 Repeal  
230.310 Repeal  
230.320 Repeal  
230.330 Repeal  
230.340 Repeal  
230.350 Repeal  
230.360 Repeal  
230.370 Repeal  
230.371 Repeal  
230.380 Repeal  
230.390 Repeal  
230.400 Repeal  
230.410 Repeal  
230.430 Repeal  
230.440 Repeal  
230.470 Repeal  
230.480 Repeal  
230.490 Repeal  
230.500 Repeal  
230.520 Repeal

POLLUTION CONTROL BOARD  
NOTICE OF ADOPTED REPEALER

- 230.530 Repeal  
230.540 Repeal  
230.550 Repeal  
230.560 Repeal  
230.570 Repeal  
230.580 Repeal  
230.590 Repeal  
230.600 Repeal  
230.680 Repeal  
230.690 Repeal  
230.700 Repeal  
230.720 Repeal  
230.730 Repeal  
230.740 Repeal  
230.770 Repeal  
230.780 Repeal  
230.App.A Repeal  
230.App.B Repeal  
230.App.C Repeal  
230.App.F Repeal  
230.Tab.A Repeal  
230.Tab.B Repeal

- 4) Statutory Authority: Ill. Rev. Stat. 1989, ch. 111 $\frac{1}{2}$ , pars. 1010 and 1027.  
5) Effective Date of Amendments: November 26, 1991  
6) Does this rulemaking contain an automatic repeal date?: No  
7) Does this amendment contain incorporations by reference?: No  
8) Date Filed in Agency's Principal Office: August 8, 1991  
9) Notice(s) of Proposal Published in Illinois Register:  
15 Ill. Reg. 0741, January 25, 1991  
10) Has JCAR issued a Statement of Objections to this Rule?: No  
11) Difference(s) between proposal and final version:  
So as to avoid confusion in the repeal of Part 230 the following language will be added.

(BOARD NOTE: All regulations promulgated by the U.S. Environmental Protection Agency under Section 111 of the Clean Air Act (42 USC 7411) as amended...RELATING TO STANDARDS OF



## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED REPEALER

PERFORMANCE FOR NEW STATIONARY SOURCES (NSPS)...ARE APPLICABLE, without formal adoption by the Board, IN THIS STATE AND ARE ENFORCEABLE UNDER (THE ENVIRONMENTAL PROTECTION ACT). (ILL. REV. STAT. 1989, CH. 111-1/2, PAR. 1009.1(b)).

- 12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes
- 13) Will this amendment replace an emergency rule currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Rule(s):

On May 11, 1989 the Board, on its own motion, proposed the above-captioned rulemaking for First Notice. The Board held two hearings in this matter, one in Chicago on August 16, 1989 and the other in Urbana on August 23, 1989. As the result of comments at hearing by the Illinois Environmental Protection Agency ("Agency") and the Illinois Manufacturers Association ("IMA"), the Board split this proceeding into two dockets on September 13, 1989. Docket A has since been adopted as a final rule.

Today the Board is proposing Docket B, the repeal of 35 Ill. Adm. Code Parts 230 and 231 in their entirety, for Final Adoption. This docket was adopted by the Board for First Notice on December 20, 1990 and published in the Illinois Register on January 25, 1991 at 15 Ill. Reg. 0780. The Board went to Second Notice with this proposal on April 25, 1991. The Joint Committee on Administrative Rules requested that we incorporate some minor changes and we have done so. Part 230 constitutes the Board's New Source Performance Standards (NSPS) adopted by peremptory rulemakings between 1979 and 1987. Part 231 constitutes the National Emission Standards for Hazardous Air Pollutants (NESHAPS) also adopted by peremptory rulemaking between 1980 and 1987. Prior to 1987, the Board was required to adopt the NSPS and NESHAPS provisions by resolution, even though they were automatically enforceable in Illinois upon Federal promulgation. However, in 1987, Section 9.1 of the Environmental Protection Act (Act) was amended to eliminate the requirement for Board action. As a result, the Board is no longer required to formally adopt NSPS and NESHAPS provisions. The NSPS and NESHAPS continue to become effective immediately upon their adoption by the United States Environmental Protection Agency ("USEPA").

## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED REPEALER

As new NSPS and NESHAPS are promulgated by USEPA and become enforceable in Illinois pursuant to Section 9.1 of the Act, the existing regulations earlier adopted may become outdated or even inconsistent with the updated standards, causing possible confusion to the regulated community. In repealing these parts, the Board stresses that this action is not intended to and does not cause any substantive amendment to the existing NSPS and NESHAPS provisions enforceable under Section 9.1 of the Act.

As the Agency stated in its comments made at hearing, a problem arises due to the fact that other sections of the Board's air regulations reference the NSPS and NESHAPS provisions proposed for repeal. Consequently, these sections, which are found within 35 Ill. Adm. Code Parts 201, 212 and 215, must be amended to replace reference to Parts 230 and 231 with language indicating the automatic enforceability of USEPA NSPS and NESHAPS regulations through Section 9.1 of the Act. Specifically, the sections of the Board's regulations which contain cross-references to NSPS or NESHAPS regulations in Parts 230 and 231 are as follows:

201.102  
201.401(a) (1) (B) (iii)  
201.401(a) (1) (D)  
201.401(b)  
212.205  
212.443(b) (2) (A)  
212.443(b) (2) (B)  
212.443(b) (3)  
212.443(c) (1) (B)  
212.443(c) (2) (A)  
212.443(c) (2) (B)  
215.123(a) (5)

Three other Sections also containing references to Parts 230 and 231 were not included at Second Notice and cannot be included here. Those sections will be corrected in a separate docket. This will in no way change the affected sections or the existing NSPS and NESHAPS provisions enforceable under Section 9.1 of the Act.

- 16) Information and questions regarding this adopted rule shall be directed to:

Timothy P. Dwyer  
100 W. Randolph Street  
State of Illinois Center



## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED REPEALER

Suite 11-500  
Chicago, IL 60601  
(312) 814-6923

The full text of the adopted rule(s) begins on the following page:

## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED REPEALER

TITLE 35: ENVIRONMENTAL PROTECTION  
SUBTITLE B: AIR POLLUTION  
CHAPTER I: POLLUTION CONTROL BOARD  
SUBCHAPTER e: PEREMPTORY RULES

## PART 230

## NEW SOURCE PERFORMANCE STANDARDS (REPEALED)

SOURCE: Repealed in R89-7(B) at 15 Ill. Reg. 17681  
effective November 26, 1991.

(BOARD NOTE: All regulations promulgated by the U.S. Environmental Protection Agency under Section 111 of the Clean Air Act (42 USC 7411 as amended)...RELATING TO STANDARDS OF PERFORMANCE FOR NEW STATIONARY SOURCES (NSPS)...ARE APPLICABLE, without formal adoption by the Board, IN THIS STATE AND ARE ENFORCEABLE UNDER (THE ENVIRONMENTAL PROTECTION ACT). (ILL. REV. STAT. 1989, CH. 111-1/2, PAR. 1009.1(b)).



## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

- 1) The Heading of the Part: Organic Material Emission Standards and Limitations

- 2) The Code Citation: 35 Ill. Adm. Code 215

- 3) Section Number: Adopted Action:

215.123

Amendment

- 4) Statutory Authority: Ill. Rev. Stat. 1989, ch. 111 $\frac{1}{2}$ , pars. 1010 and 1027.

- 5) Effective Date of Amendments: November 26, 1991

- 6) Does this rulemaking contain an automatic repeal date? No

- 7) Does this amendment contain incorporations by reference? No

- 8) Date Filed in Agency's Principal Office: August 8, 1991

- 9) Notice(s) of Proposal Published in Illinois Register:

15 Ill. Reg. 0768, January 25, 1991

- 10) Has JCAR issued a Statement of Objections to this Rule? No

- 11) Difference(s) between proposal and final version:

Sections 215.920(d)(2), 215.940(d)(2), and 215.960(d)(2) were deleted.

- 12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

- 13) Will this amendment replace an emergency rule currently in effect? No

- 14) Are there any amendments pending on this Part?

<u>Section Numbers:</u>	<u>Proposed Action:</u>	<u>Ill. Reg. Citation:</u>
215.215	New Section	15 Ill. Reg. 11059

- 15) Summary and Purpose of Rule(s):

On May 11, 1989 the Board, on its own motion, proposed the above-captioned rulemaking for First Notice. The Board

## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

held two hearings in this matter, one in Chicago on August 16, 1989 and the other in Urbana on August 23, 1989. As the result of comments at hearing by the Illinois Environmental Protection Agency ("Agency") and the Illinois Manufacturers Association ("IMA"), the Board split this proceeding into two dockets on September 13, 1989. Docket A has since been adopted as a final rule.

Today the Board is proposing Docket B, the repeal of 35 Ill. Adm. Code Parts 230 and 231 in their entirety, for Final Adoption. This docket was adopted by the Board for First Notice on December 20, 1990 and published in the Illinois Register on January 25, 1991 at 15 Ill. Reg. 0780. The Board went to Second Notice with this proposal on April 25, 1991. The Joint Committee on Administrative Rules requested that we incorporate some minor changes and we have done so. Part 230 constitutes the Board's New Source Performance Standards (NSPS) adopted by peremptory rulemakings between 1979 and 1987. Part 231 constitutes the National Emission Standards for Hazardous Air Pollutants (NESHAPS) also adopted by peremptory rulemaking between 1980 and 1987. Prior to 1987, the Board was required to adopt the NSPS and NESHAPS provisions by resolution, even though they were automatically enforceable in Illinois upon Federal promulgation. However, in 1987, Section 9.1 of the Environmental Protection Act (Act) was amended to eliminate the requirement for Board action. As a result, the Board is no longer required to formally adopt NSPS and NESHAPS provisions. The NSPS and NESHAPS continue to become effective immediately upon their adoption by the United States Environmental Protection Agency ("USEPA").

As new NSPS and NESHAPS are promulgated by USEPA and become enforceable in Illinois pursuant to Section 9.1 of the Act, the existing regulations earlier adopted may become outdated or even inconsistent with the updated standards, causing possible confusion to the regulated community. In repealing these parts, the Board stresses that this action is not intended to and does not cause any substantive amendment to the existing NSPS and NESHAPS provisions enforceable under Section 9.1 of the Act.

As the Agency stated in its comments made at hearing, a problem arises due to the fact that other sections of the Board's air regulations reference the NSPS and NESHAPS provisions proposed for repeal. Consequently, these sections, which are found within 35 Ill. Adm. Code Parts 201,



## POLLUTION CONTROL BOARD

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212 and 215, must be amended to replace reference to Parts 230 and 231 with language indicating the automatic enforceability of USEPA NSPS and NESHAPS regulations through Section 9.1 of the Act. Specifically, the sections of the Boards regulations which contain cross-references to NSPS or NESHAPS regulations in Parts 230 and 231 are as follows:

## 215.123(a)(5)

Three other sections also containing references to Parts 230 and 231 were not included at Second Notice and cannot be included here. Those sections will be corrected in a separate docket. This will in no way change the affected sections or the existing NSPS and NESHAPS Provisions enforceable under Section 9.1 of the Act.

- 16) Information and questions regarding this adopted rule shall be directed to:

Timothy P. Dwyer  
100 W. Randolph Street  
State of Illinois Center  
Suite 11-500  
Chicago, IL 60601  
(312) 814-6923

The full text of the adopted rule(s) begins on the following page:

## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

TITLE 35: ENVIRONMENTAL PROTECTION  
SUBTITLE B: AIR POLLUTION  
CHAPTER I: POLLUTION CONTROL BOARD  
SUBCHAPTER c: EMISSIONS STANDARDS AND LIMITATIONS FOR STATIONARY SOURCES

## PART 215

## ORGANIC MATERIAL EMISSION STANDARDS AND LIMITATIONS

## SUBPART A: GENERAL PROVISIONS

Section	
215.100	Introduction
215.101	Clean-up and Disposal Operations
215.102	Testing Methods
215.103	Abbreviations and Conversion Factors
215.104	Definitions
215.105	Incorporation by Reference
215.106	Afterburners
215.107	Determination of Applicability
215.108	Measurement of Vapor Pressures
215.109	Monitoring for Negligibly-Reactive Compounds

## SUBPART B: ORGANIC EMISSIONS FROM STORAGE AND LOADING OPERATIONS

Section	
215.121	Storage Containers
215.122	Loading Operations
215.123	Petroleum Liquid Storage Tanks
215.124	External Floating Roofs
215.125	Compliance Dates and Geographical Areas
215.126	Compliance Plan
215.127	Emissions Testing
215.128	Measurement of Seal Gaps

## SUBPART C: ORGANIC EMISSIONS FROM MISCELLANEOUS EQUIPMENT

Section	
215.141	Separation Operations
215.142	Pumps and Compressors
215.143	Vapor Blowdown
215.144	Safety Relief Valves

## SUBPART E: SOLVENT CLEANING

Section



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215.181 Solvent Cleaning in General  
 215.182 Cold Cleaning  
 215.183 Open Top Vapor Degreasing  
 215.184 Conveyorized Degreasing  
 215.185 Compliance Plan

## SUBPART F: COATING OPERATIONS

Section  
 215.202 Compliance Schedules  
 215.204 Emission Limitations for Manufacturing Plants  
 215.205 Alternative Emission Limitations  
 215.206 Exemptions from Emission Limitations  
 215.207 Compliance by Aggregation of Emission Sources  
 215.208 Testing Methods for Volatile Organic Material  
 215.209 Exemption from General Rule on Use of Organic Material  
 215.210 Alternative Compliance Schedule  
 215.211 Compliance Dates and Geographical Areas  
 215.212 Compliance Plan  
 215.213 Special Requirements for Compliance Plan  
 215.214 Roadmaster Emissions Limitations

## SUBPART H: SPECIAL LIMITATIONS FOR SOURCES IN AREAS WHICH ARE NONATTAINMENT FOR OZONE

Section  
 215.240 Applicability  
 215.241 External Floating Roofs  
 215.245 Flexographic and Rotogravure Printing  
 215.249 Compliance Dates

## SUBPART I: ADJUSTED RACT EMISSIONS LIMITATIONS

Section  
 215.260 Applicability  
 215.261 Petition  
 215.263 Public Hearing  
 215.264 Board Action  
 215.267 Agency Petition

## SUBPART K: USE OF ORGANIC MATERIAL

Section  
 215.301 Use of Organic Material  
 215.302 Alternative Standard  
 215.303 Fuel Combustion Emission Sources  
 215.304 Operations with Compliance Program  
 215.305 Viscose Exemption (Repealed)

## SUBPART N: VEGETABLE OIL PROCESSING

Section  
 215.340 Hexane Extraction Soybean Crushing  
 215.342 Hexane Extraction Corn Oil Processing  
 215.344 Recordkeeping for Vegetable Oil Processes  
 215.345 Compliance Determination  
 215.346 Compliance Dates and Geographical Areas  
 215.347 Compliance Plan

## SUBPART P: PRINTING AND PUBLISHING

Section  
 215.401 Flexographic and Rotogravure Printing  
 215.402 Exemptions  
 215.403 Applicability of Subpart K  
 215.404 Testing and Monitoring (Repealed)  
 215.405 Compliance Dates and Geographical Areas  
 215.406 Alternative Compliance Plan  
 215.407 Compliance Plan  
 215.408 Heatset Web Offset Lithographic Printing  
 215.409 Testing Methods for Volatile Organic Material Content  
 215.410 Emissions Testing

## SUBPART Q: LEAKS FROM SYNTHETIC ORGANIC CHEMICAL AND POLYMER MANUFACTURING EQUIPMENT

Section  
 215.420 Applicability  
 215.421 General Requirements  
 215.422 Inspection Program Plan for Leaks  
 215.423 Inspection Program for Leaks  
 215.424 Repairing Leaks  
 215.425 Recordkeeping for Leaks  
 215.426 Report for Leaks  
 215.427 Alternative Program for Leaks  
 215.428 Compliance Dates  
 215.429 Compliance Plan  
 215.430 General Requirements  
 215.431 Inspection Program Plan for Leaks  
 215.432 Inspection Program for Leaks  
 215.433 Repairing Leaks  
 215.434 Recordkeeping for Leaks  
 215.435 Report for Leaks  
 215.436 Alternative Program for Leaks  
 215.437 Open-Ended Valves  
 215.438 Standards for Control Devices



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215.439 Compliance Date

## SUBPART R: PETROLEUM REFINING AND RELATED INDUSTRIES; ASPHALT MATERIALS

Section  
 215.441 Petroleum Refinery Waste Gas Disposal  
 215.442 Vacuum Producing Systems  
 215.443 Wastewater (Oil/Water) Separator  
 215.444 Process Unit Turnarounds  
 215.445 Leaks: General Requirements  
 215.446 Monitoring Program Plan for Leaks  
 215.447 Monitoring Program for Leaks  
 215.448 Recordkeeping for Leaks  
 215.449 Reporting for Leaks  
 215.450 Alternative Program for Leaks  
 215.451 Sealing Device Requirements  
 215.452 Compliance Schedule for Leaks  
 215.453 Compliance Dates and Geographical Areas

## SUBPART S: RUBBER AND MISCELLANEOUS PLASTIC PRODUCTS

Section  
 215.461 Manufacture of Pneumatic Rubber Tires  
 215.462 Green Tire Spraying Operations  
 215.463 Alternative Emission Reduction Systems  
 215.464 Emission Testing and Monitoring  
 215.465 Compliance Dates and Geographical Areas  
 215.466 Compliance Plan  
 215.467 Testing Methods for Volatile Organic Material

## SUBPART T: PHARMACEUTICAL MANUFACTURING

Section  
 215.480 Applicability of Subpart T  
 215.481 Control of Reactors, Distillation Units, Crystallizers, Centrifuges and Vacuum Dryers  
 215.482 Control of Air Dryers, Production Equipment Exhaust Systems and Filters  
 215.483 Material Storage and Transfer  
 215.484 In-Process Tanks  
 215.485 Leaks  
 215.486 Other Emission Sources  
 215.487 Testing  
 215.488 Monitors for Air Pollution Control Equipment  
 215.489 Compliance Schedule

## SUBPART U: COKE MANUFACTURING AND BY-PRODUCT RECOVERY

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Section  
215.500

Exceptions  
 215.510 Coke By-Product Recovery Plants  
 215.512 Coke By-Product Recovery Plant Leaks  
 215.513 Inspection Program  
 215.514 Recordkeeping Requirements  
 215.515 Reporting Requirements  
 215.516 Compliance Dates  
 215.517 Compliance Plan

## SUBPART V: AIR OXIDATION PROCESSES

Section  
215.520

Applicability  
 215.521 Definitions  
 215.525 Emission Limitations for Air Oxidation Processes  
 215.526 Testing and Monitoring  
 215.527 Compliance Date

## SUBPART W: AGRICULTURE

Section  
215.541

Pesticide Exception

## SUBPART X: CONSTRUCTION

Section  
215.561

Architectural Coatings  
 215.562 Paving Operations  
 215.563 Cutback Asphalt

## SUBPART Y: GASOLINE DISTRIBUTION

Section  
215.581

Bulk Gasoline Plants  
 215.582 Bulk Gasoline Terminals  
 215.583 Gasoline Dispensing Facilities  
 215.584 Gasoline Delivery Vessels  
 215.585 Gasoline Volatility Standards  
 215.586 Emissions Testing

## SUBPART Z: DRY CLEANERS

Section  
215.601

Perchloroethylene Dry Cleaners  
 215.602 Exemptions  
 215.603 Leaks



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215.604 Compliance Dates and Geographical Areas  
 215.605 Compliance Plan  
 215.606 Exception to Compliance Plan  
 215.607 Standards for Petroleum Solvent Dry Cleaners  
 215.608 Operating Practices for Petroleum Solvent Dry Cleaners  
 215.609 Program for Inspection and Repair of Leaks  
 215.610 Testing and Monitoring  
 215.611 Exemption for Petroleum Solvent Dry Cleaners  
 215.612 Compliance Dates and Geographical Areas  
 215.613 Compliance Plan  
 215.614 Testing Methods for Volatile Organic Material Content of Wastes  
 215.615 Emissions Testing

## SUBPART AA: PAINT AND INK MANUFACTURING

Section  
 215.620 Applicability  
 215.621 Exemption for Waterbase Material and Heatset Offset Ink  
 215.622 Permit Conditions  
 215.623 Open-top Mills, Tanks, Vats or Vessels  
 215.625 Grinding Mills  
 215.628 Leaks  
 215.630 Clean Up  
 215.636 Compliance Dates

## SUBPART BB: POLYSTYRENE PLANTS

Section  
 215.875 Applicability of Subpart BB  
 215.877 Emissions Limitation at Polystyrene Plants  
 215.879 Compliance Date  
 215.881 Compliance Plan  
 215.883 Special Requirements for Compliance Plan  
 215.886 Emissions Testing

## SUBPART PP: MISCELLANEOUS FABRICATED PRODUCT MANUFACTURING PROCESSES

Section  
 215.920 Applicability  
 215.923 Permit Conditions  
 215.926 Control Requirements

## SUBPART QQ: MISCELLANEOUS FORMULATION MANUFACTURING PROCESSES

Section  
 215.940 Applicability

215.943 Permit Conditions  
 215.946 Control Requirements

## SUBPART RR: MISCELLANEOUS ORGANIC CHEMICAL MANUFACTURING PROCESSES

Section  
 215.960 Applicability  
 215.963 Permit Conditions  
 215.966 Control Requirements

Appendix A Rule Into Section Table  
 Appendix B Section Into Rule Table  
 Appendix C Past Compliance Dates  
 Appendix D List of Chemicals Defining Synthetic Organic Chemical and Polymer Manufacturing  
 Appendix E Reference Methods and Procedures  
 Appendix F Coefficients for the Total Resource Effectiveness Index (TRE) Equation

AUTHORITY: Implementing Section 10 and authorized by Section 27 of the Environmental Protection Act (Ill. Rev. Stat. 1989, ch. 111, pars. 1010 and 1027).

SOURCE: Adopted as Chapter 2: Air Pollution, Rule 205: Organic Material Emission Standards and Limitations, R71-23, 4 PCB 191, filed and effective April 14, 1972; amended in R77-3, 33 PCB 357, at 3 Ill. Reg. 18, p. 41, effective May 3, 1979; amended in R78-3 and R78-4, 35 PCB 75, at 3 Ill. Reg. 30, p. 124, effective July 28, 1979; amended in R80-5 at 7 Ill. Reg. 1244, effective January 21, 1983; codified at 7 Ill. Reg. 13601; Notice of Corrections at 7 Ill. Reg. 14575; amended in R82-14 at 8 Ill. Reg. 13254, effective July 12, 1984; amended in R83-36 at 9 Ill. Reg. 9114, effective May 30, 1985; amended in R82-14 at 9 Ill. Reg. 13960, effective August 28, 1985; amended in R85-28 at 11 Ill. Reg. 3127, effective February 3, 1987; amended in R82-14 at 11 Ill. Reg. 7296, effective April 3, 1987; amended in R85-21(A) at 11 Ill. Reg. 11770, effective June 29, 1987; recodified in R86-39 at 11 Ill. Reg. 13541; amended in R82-14 and R86-12 at 11 Ill. Reg. 16706, effective September 30, 1987; amended in R85-21(B) at 11 Ill. Reg. 19117, effective November 9, 1987; amended in R86-36, R86-39, R86-40 at 11 Ill. Reg. 20829, effective December 14, 1987; amended in R82-14 and R86-37 at 12 Ill. Reg. 815, effective December 24, 1987; amended in R86-18 at 12 Ill. Reg. 7311, effective April 8, 1988; amended in R86-10 at 12 Ill. Reg. 7650, effective April 11, 1988; amended in R88-23 at 13 Ill. Reg. 10893, effective June 27, 1989; amended in R88-30(A) at 14 Ill. Reg. 7596, effective May 8, 1990; amended in R89-16(A) at 14 Ill. Reg. 9173, effective May 23, 1990;



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amended in R88-30(B) at 15 Ill. Reg. 3309, effective February 13, 1991; amended in R88-14 at 15 Ill. Reg. 8018, effective May 14, 1991; amended in R91-7 at 15 Ill. Reg. 12217, effective August 19, 1991; amended in R91-10 at 15 Ill. Reg. 15595, effective October 11, 1991; amended in R89-7(B) at 15 Ill. Reg. 17687, effective November 26, 1991.

SUBPART B: ORGANIC EMISSIONS FROM STORAGE AND LOADING OPERATIONS

Section 215.123 Petroleum Liquid Storage Tanks

a) The requirements of subsection (b) shall not apply to any stationary storage tank:

- 1) Equipped before January 1, 1979 with one of the vapor loss control devices specified in Section 215.121(b), except Section 215.121(b)(1);
- 2) With a capacity of less than 151.42 cubic meters;
- 3) With a capacity of less than 1,600 cubic meters (422,400 gallons) and used to store produced crude oil and condensate prior to custody transfer;
- 4) With a capacity of less than 1,430 cubic meters (378,000 gallons) and used to store produced oil or condensate in crude oil gathering;
- 5) Subject to new source performance standards for storage vessels of petroleum liquid, 35 Ill. Adm. Code 230+ 40 CFR 60, as regulations promulgated by the U.S. Environmental Protection Agency under Section 111 of the Clean Air Act (42 USC 7411), as amended. THE PROVISIONS OF SECTION 111 OF THE CLEAN AIR ACT...RELATING TO STANDARDS OF PERFORMANCE FOR NEW STATIONARY SOURCES...ARE APPLICABLE IN THIS STATE AND ARE ENFORCEABLE UNDER [THE ENVIRONMENTAL PROTECTION ACT]. (ILL. REV. STAT., CH. 111, PAR. 1009.1(b)).

- 6) In which volatile petroleum liquid is not stored; or
- 7) Which is a pressure tank as described in Section 215.121(a).

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b) Subject to subsection (a) no owner or operator of a stationary storage tank shall cause or allow the storage of any volatile petroleum liquid in the tank unless:

- 1) The tank is equipped with one of the vapor loss control devices specified in Section 215.121(b);
- 2) There are no visible holes, tears or other defects in the seal or any seal fabric or material of any floating roof;
- 3) All openings of any floating roof deck, except stub drains, are equipped with covers, lids or seals such that:
  - A) The cover, lid or seal is in the closed position at all times except when petroleum liquid is transferred to or from the tank;
  - B) Automatic bleeder vents are closed at all times except when the roof is floated off or landed on the roof leg supports; and
  - C) Rim vents, if provided, are set to open when the roof is being floated off the roof leg supports or at the manufacturer's recommended setting;
- 4) Routine inspections of floating roof seals are conducted through roof hatches once every six months;
- 5) A complete inspection of the cover and seal of any floating roof tank is made whenever the tank is emptied for reasons other than the transfer of petroleum liquid during the normal operation of the tank, or whenever repairs are made as a result of any semiannual inspection or incidence of roof damage or defect; and
- 6) A record of the results of each inspection conducted under subsection (b)(4) or (b)(5) is maintained.
- c) Owners and operators of petroleum liquid storage tanks were required to have compliance schedules as summarized in Appendix C.

(Source: Amended at 15 Ill. Reg. 17687, effective November 26, 1991)



## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

- 1) The Heading of the Part: Permits and General Provisions
- 2) The Code Citation: 35 Ill. Adm. Code 201
- 3) Section Number: Adopted Action:  
201.102 Amendment  
201.401 Amendment
- 4) Statutory Authority: Ill. Rev. Stat. 1989, ch. 111 $\frac{1}{2}$ , pars. 1010 and 1027.
- 5) Effective Date of Amendments: November 26, 1991
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this amendment contain incorporations by reference? No
- 8) Date Filed in Agency's Principal Office: August 8, 1991
- 9) Notice(s) of Proposal Published in Illinois Register:  
15 Ill. Reg. 0780, January 25, 1991
- 10) Has JCAR issued a Statement of Objections to this Rule? No
- 11) Difference(s) between proposal and final version:  
No changes have been made.
- 12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreement letter issued by JCAR?  
Yes
- 13) Will this amendment replace an emergency rule currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Rule(s):

On May 11, 1989 the Board, on its own motion, proposed the above-captioned rulemaking for First Notice. The Board held two hearings in this matter, one in Chicago on August 16, 1989 and the other in Urbana on August 23, 1989. As the result of comments at hearing by the Illinois Environmental Protection Agency ("Agency") and the Illinois Manufacturers

## POLLUTION CONTROL BOARD

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Association ("IWA"), the Board split this proceeding into two dockets on September 13, 1989. Docket A has since been adopted as a final rule.

Today the Board is proposing Docket B, the repeal of 35 Ill. Adm. Code Parts 230 and 231 in their entirety, for Final Adoption. This docket was adopted by the Board for First Notice on December 20, 1990 and published in the Illinois Register on January 25, 1991 at 15 Ill. Reg. 0780. The Board went to Second Notice with this proposal on April 25, 1991. The Joint Committee on Administrative Rules requested that we incorporate some minor changes and we have done so. Part 230 constitutes the Board's New Source Performance Standards (NSPS) adopted by peremptory rulemakings between 1979 and 1987. Part 231 constitutes the National Emission Standards for Hazardous Air Pollutants (NESHAPS) also adopted by peremptory rulemaking between 1980 and 1987. Prior to 1987, the Board was required to adopt the NSPS and NESHAPS provisions by resolution, even though they were automatically enforceable in Illinois upon Federal promulgation. However, in 1987, Section 9.1 of the Environmental Protection Act (Act) was amended to eliminate the requirement for Board action. As a result, the Board is no longer required to formally adopt NSPS and NESHAPS provisions. The NSPS and NESHAPS continue to become effective immediately upon their adoption by the United States Environmental Protection Agency ("USEPA").

As new NSPS and NESHAPS are promulgated by USEPA and become enforceable in Illinois pursuant to Section 9.1 of the Act, the existing regulations earlier adopted may become outdated or even inconsistent with the updated standards, causing possible confusion to the regulated community. In repealing these parts, the Board stresses that this action is not intended to and does not cause any substantive amendment to the existing NSPS and NESHAPS provisions enforceable under Section 9.1 of the Act.

As the Agency stated in its comments made at hearing, a problem arises due to the fact that other sections of the Board's air regulations reference the NSPS and NESHAPS provisions proposed for repeal. Consequently, these sections, which are found within 35 Ill. Adm. Code Parts 201, 212 and 215, must be amended to replace reference to Parts 230 and 231 with language indicating the automatic enforceability of USEPA NSPS and NESHAPS regulations through Section 9.1 of the Act. Specifically, the sections of the Boards regulations which



## POLLUTION CONTROL BOARD

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contain cross-references to NSPS or NESHAPS regulations in Parts 230 and 231 are as follows:

- 201.102
- 201.401(a)(1)(B)(iii)
- 201.401(a)(1)(D)
- 201.401(b)

Three other Sections also containing references to Parts 230 and 231 were not included at Second Notice and cannot be included here. Those sections will be corrected in a separate docket. This will in no way change the affected sections or the existing NSPS and NESHAPS Provisions enforceable under Section 9.1 of the Act.

16) Information and questions regarding this adopted rule shall be directed to:

Timothy P. Dwyer  
100 W. Randolph Street  
State of Illinois Center  
Suite 11-500  
Chicago, IL 60601  
(312) 814-6923

The full text of the adopted rule(s) begins on the following page:

## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

TITLE 35: ENVIRONMENTAL PROTECTION  
SUBTITLE B: AIR POLLUTION  
CHAPTER I: POLLUTION CONTROL BOARD  
SUBCHAPTER a: PERMITS AND GENERAL PROVISIONS

PART 201  
PERMITS AND GENERAL PROVISIONS

## SUBPART A: DEFINITIONS

Section	Other Definitions
201.101	Definitions
201.102	Abbreviations and Units
201.103	Incorporations by Reference
201.104	

## SUBPART B: GENERAL PROVISIONS

Section	Existence of Permit No Defense
201.121	Proof of Emissions
201.122	Burden of Persuasion Regarding Exceptions
201.123	Annual Report
201.124	Severability
201.125	Repealer
201.126	

## SUBPART C: PROHIBITIONS

Section	Prohibition of Air Pollution
201.141	Construction Permit Required
201.142	Operating Permits for New Sources
201.143	Operating Permits for Existing Sources
201.144	Exemptions from Permit Requirement
201.146	Former Permits
201.147	Operation Without Compliance Program and Project Completion Schedule
201.148	Operation During Malfunction, Breakdown or Startups
201.149	Circumvention
201.150	Design of Effluent Exhaust Systems
201.151	

SUBPART D: PERMIT APPLICATIONS  
AND REVIEW PROCESS

Section	Contents of Application for Construction Permit
201.152	Incomplete Applications
201.153	Signatures
201.154	



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201.155 Standards for Issuance  
 201.156 Conditions  
 201.157 Contents of Application for Operating Permit  
 201.158 Incomplete Applications  
 201.159 Signatures  
 201.160 Standards for Issuance  
 201.161 Conditions  
 201.162 Duration  
 201.163 Joint Construction and Operating Permits  
 201.164 Design Criteria  
 201.165 Hearings

SUBPART F: RENEWAL, REVOCATION, REVISION  
AND APPEAL

Section  
 201.207 Revocation  
 201.209 Revisions to Permits  
 201.210 Appeals from Conditions

SUBPART H: COMPLIANCE PROGRAMS AND  
PROJECT COMPLETION SCHEDULES

Section  
 201.241 Contents of Compliance Program  
 201.242 Contents of Project Completion Schedule  
 201.243 Standards for Approval  
 201.244 Revisions  
 201.245 Effects of Approval  
 201.246 Records and Reports  
 201.247 Submission and Approval Dates

## SUBPART I: MALFUNCTIONS, BREAKDOWNS OR STARTUPS

Section  
 201.261 Contents of Request for Permission to Operate During a Malfunction, Breakdown or Startup  
 201.262 Standards for Granting Permission to Operate During a Malfunction, Breakdown or Startup  
 201.263 Records and Reports  
 201.264 Continued Operation or Startup Prior to Granting of Operating Permit  
 201.265 Effect of Granting of Permission to Operate During a Malfunction, Breakdown or Startup

## SUBPART J: MONITORING AND TESTING

Section  
 201.281 Permit Monitoring Equipment Requirements

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201.282 Testing  
 201.283 Records and Reports

## SUBPART K: RECORDS AND REPORTS

Section  
 201.301 Records  
 201.301 Reports

## SUBPART L: CONTINUOUS MONITORING

Section  
 201.401 Continuous Monitoring Requirements  
 201.402 Alternative Monitoring  
 201.403 Exempt Sources  
 201.404 Monitoring System Malfunction  
 201.405 Excess Emission Reporting  
 201.406 Data Reduction  
 201.407 Retention of Information  
 201.408 Compliance Schedules

Appendix A Rule into Section Table  
 Appendix B Section into Rule Table  
 Appendix C Past Compliance Dates

AUTHORITY: Implementing Section 10 and authorized by Section 27 of the Environmental Protection Act (Ill. Rev. Stat. 1989, ch. 111½, pars. 1010 and 1027)

SOURCE: Adopted as Chapter 2: Air Pollution, Part I: General Provisions, in R71-23, 4 PCB 191, filed and effective April 14, 1972; amended in R78-3 and 4, 35 PCB 75 and 243, at 3 Ill. Reg. 30, p. 124, effective July 28, 1979; amended in R80-5, at 7 Ill. Reg. 1244, effective January 21, 1983; codified at 7 Ill. Reg. 13579; amended in R82-1 (Docket A) at 10 Ill. Reg. 12628, effective July 7, 1986; amended in R87-38 at 13 Ill. Reg. 2066, effective February 3, 1989; amended in R89-7(A) at 13 Ill. Reg. 19444, effective December 5, 1989; amended in R89-7(B) at 17699, November 26, 1991.

## Section 201.102 Definitions

"Air Contaminant": any solid, liquid or gaseous matter, any odor or any form of energy, that is capable of being released into the atmosphere from an emission source.

"Air Pollution Control Equipment": any equipment or facility of a type intended to eliminate, prevent, reduce



## POLLUTION CONTROL BOARD

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or control the emission of specified air contaminants to the atmosphere.

"Air Pollution": the presence in the atmosphere of one or more air contaminants in sufficient quantities and of such characteristics and duration as to be injurious to human, plant, or animal life, to health, or to property, or to unreasonably interfere with the enjoyment of life or property.

"Ambient Air": that portion of the atmosphere external to buildings comprising emission sources.

"Ambient Air Quality Standard": those standards promulgated from time to time by the Pollution Control Board (Board) pursuant to authority contained in the Act and found at 35 Ill. Adm. Code 243, or by the United States Environmental Protection Agency (USEPA) pursuant to authority contained in 42 U.S.C. 7401 et seq., as amended from time to time.

"Clean Air Act": the Clean Air Act of 1970, as amended, including the Clean Air Act Amendments of 1977, as amended (42 U.S.C. 7401 et seq.)

"Commence": the act of entering into a binding agreement or contractual obligation to undertake and complete, within a reasonable time, a continuous program of construction or modifications.

"Construction": commencement of on-site fabrication, erection or installation of an emission source or of air pollution control equipment.

"Emission Source": any equipment or facility of a type capable of emitting specified air contaminants to the atmosphere.

"Existing Air Pollution Control Equipment": any air pollution control equipment, the construction or modification which has commenced prior to April 14, 1972.

"Existing Emission Source": any emission source, the construction or modification of which has commenced prior to April 14, 1972.

"Modification": any physical change in, or change in the method of operations of, an emission source or of air

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pollution control equipment which increases the amount of any specified air contaminant emitted by such source or equipment or which results in the emission of any specified air contaminant not previously emitted. It shall be presumed that an increase in the use of raw materials, the time of operation or the rate of production will change the amount of any specified air contaminant emitted. Notwithstanding any other provisions of this definition, for purposes of permits issued pursuant to Subpart D, the Illinois Environmental Protection Agency (Agency) may specify conditions under which an emission source or air pollution control equipment may be operated without causing a modification as herein defined, and normal cyclical variations, before the date operating permits are required, shall not be considered modifications.

"New Air Pollution Control Equipment": any air pollution control equipment, the construction or modification of which is commenced on or after April 14, 1972.

"New Emission Source": any emission source, the construction or modification of which is commenced on or after April 14, 1972.

"Owner or Operator": any person who owns, leases, controls or supervises an emission source or air pollution control equipment.

"Person": any individual, corporation, partnership, firm, association, trust estate, public or private institution, group, agency, political subdivision of this State, any other State or political subdivision or agency thereof or any legal successor, representative, agent or agency of the foregoing.

"PSD Increment": the maximum allowable increase over baseline concentration of any air contaminant as determined by Section 163 of the Clean Air Act (42 U.S.C. 7473) and regulations adopted thereunder.

"Specified Air Contaminant": any air contaminant as to which this Subtitle contains emission standards or other specific limitations and any contaminant regulated in Illinois pursuant to Section 9.1 of the Act.

"Standard Industrial Classification Manual": The



## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

Standard Industrial Classification Manual (1972), Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

(Source: Amended at 15 Ill. Reg. \_\_\_\_\_, 17699 \_\_\_\_\_, effective November 26, 1991 \_\_\_\_\_.)

## SUBPART L: CONTINUOUS MONITORING

## Section 201.401 Continuous Monitoring Requirements

a) Except as otherwise provided at Section 201.402 and Section 201.403, the owners and operators of the following emission sources shall install, operate, calibrate and maintain continuous monitoring equipment for the indicated pollutants.

1) Fossil fuel-fired steam generators with an annual average capacity factor greater than 30%, as reported to the Federal Power Commission for calendar year 1974, or as otherwise demonstrated to the Agency through the use of annual production data and equipment rating information representative of the facility's operations, shall monitor for:

A) Opacity, when the steam generator is greater than 250 million Btu per hour heat input unless:

i) Gas is the only fuel burned; or

ii) Oil or a mixture of gas and oil are the only fuels burned and the source can comply with the limitations applicable to that source for particulate matter and opacity without use of collection equipment for particulate matter and the source has never been found to be in violation of an applicable visible or particulate emission standard through any administrative or judicial proceedings.

B) Nitrogen oxides, when:

i) The steam generator is greater than 1000 million Btu per hour heat input;

ii) The facility is located in an Air Quality Control Region where the Administrator, U.S. Environmental Protection Agency, has specifically determined pursuant to Section 107

## POLLUTION CONTROL BOARD

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for the Clean Air Act (42 U.S.C. 7407) that a control strategy for nitrogen dioxide is necessary to attain the national standards; and

iii) The owner or operator has not demonstrated during compliance tests performed pursuant to 35 Ill. Adm. Code 230-Appendix A or in regulations adopted by the U.S. Environmental Protection Agency under Section 111 of the Clean Air Act and made applicable in Illinois pursuant to Section 9.1 of the Illinois Environmental Protection Act that the source emits nitrogen oxides at levels less than 30% or more below the emissions standards applicable to that source. Such compliance tests shall be performed pursuant to regulations promulgated by the U.S. Environmental Protection Agency under Section 111 of the Clean Air Act (42 USC 7411), as amended. THE PROVISIONS OF SECTION 111 OF THE CLEAN AIR ACT...RELATING TO STANDARDS OF PERFORMANCE FOR NEW STATIONARY SOURCES...ARE APPLICABLE IN THIS STATE AND ARE ENFORCEABLE UNDER [THE ENVIRONMENTAL PROTECTION ACT]. (ILL. REV. STAT. CH. 111, PAR. 1009.1(b)).

C) Sulfur dioxide, when the steam generator is greater than 250 million Btu per hour heat input and which has installed and operates sulfur dioxide pollution control equipment.

D) Percent oxygen or carbon dioxide, when measurements of oxygen or carbon dioxide in the flue gas are required pursuant to 35 Ill. Adm. Code 230-Appendix A...in regulations adopted by the U.S. Environmental Protection Agency under Section 111 of the Clean Air Act, (42 USC 7411) as amended, and made applicable in Illinois pursuant to Section 9.1 of the Illinois Environmental Protection Act, or 40 CFR 51, Appendix P (This incorporation includes no later amendments or editions.) to convert sulfur dioxide or nitrogen oxide continuous emissions data to units of the applicable emission standard applicable to that source. THE PROVISIONS OF SECTION 111 OF THE CLEAN AIR ACT RELATING TO STANDARDS OF PERFORMANCE FOR NEW STATIONARY SOURCES ARE APPLICABLE IN THIS STATE AND ARE ENFORCEABLE



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UNDER [THE ILLINOIS ENVIRONMENTAL PROTECTION ACT].  
(ILL. REV. STAT., CH. 111, PAR. 1009.1(b)).

- 2) Sulfuric acid plants of greater than 300 tons per day production capacity, the production being expressed as 100 percent acid, shall monitor for sulfur dioxide at each point of sulfur dioxide emission.
- 3) Nitric acid plants of greater than 300 tons per day production capacity, the production capacity being expressed as 100 percent acid, located in an Air Quality Control Region where the Administrator, U.S. Environmental Protection Agency, has specifically determined pursuant to Section 107 of the Clean Air Act that a control strategy for nitrogen dioxide is necessary to attain the national standard, shall monitor for nitrogen oxides at each point of nitrogen oxide emission.
- 4) Petroleum refineries shall monitor for opacity at each catalyst regenerator for fluid bed catalytic cracking units of greater than 20,000 barrels per day fresh feed capacity.
- b) Except for sources permitted to use alternative monitoring pursuant to Section 201.402, compliance with the Illinois emissions limitations by the owners and operators of emission sources required to monitor continuously shall be determined by the use of equipment which meets the performance specifications set forth in paragraphs 3.1 through 3.8 of 40 CFR 51, Appendix P (1987) (this incorporation includes no later amendments or editions), and relevant portions of 35 Ill. Adm. Code 230-Appendix A and B. Regulations promulgated by the U.S. Environmental Protection Agency under Section 111 of the Clean Air Act (42 USC 7411), as amended. THE PROVISIONS OF SECTION 111 OF THE CLEAN AIR ACT RELATING TO STANDARDS OF PERFORMANCE FOR NEW STATIONARY SOURCES ARE APPLICABLE IN THIS STATE AND ARE ENFORCEABLE UNDER [THE ENVIRONMENTAL PROTECTION ACT]. (ILL. REV. STAT., CH. 111, PAR. 1009.1(b)).

(Source: Amended at 15 Ill. Reg. 17699, effective  
\_\_\_\_\_.)

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1) The Heading of the Part: Visible and Particulate Matter Emissions

2) The Code Citation: 35 Ill. Adm. Code 212

3) Section Number: Adopted Action:

212.205 Amendment  
212.443 Amendment

4) Statutory Authority: Ill. Rev. Stat. 1989, ch. 111, pars. 1010 and 1027.

5) Effective Date of Amendments: November 26, 1991

6) Does this rulemaking contain an automatic repeal date? No

7) Does this amendment contain incorporations by reference? No

8) Date Filed in Agency's Principal Office: August 8, 1991

9) Notice(s) of Proposal Published in Illinois Register:

15 Ill. Reg. 0791, January 25, 1991

10) Has JCAR issued a Statement of Objections to this Rule? No

11) Difference(s) between proposal and final version:

No changes were made.

12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

13) Will this amendment replace an emergency rule currently in effect? No

14) Are there any amendments pending on this Part? Yes

Section Number	Proposed Action	Ill. Reg. Citation
212.107	New Section	15 Ill. Reg. 13660
212.108	New Section	15 Ill. Reg. 13660
212.109	New Section	15 Ill. Reg. 13660
212.110	Amendment	15 Ill. Reg. 13660
212.113	Amendment	15 Ill. Reg. 13660







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Three other Sections also containing references to Parts 230 and 231 were not included at Second Notice and cannot be included here. Those sections will be corrected in a separate docket. This will in no way change the affected sections or the existing NSPS and NESHAPS Provisions enforceable under Section 9.1 of the Act.

- 16) Information and questions regarding this adopted rule shall be directed to:

Timothy P. Dwyer  
100 W. Randolph Street  
State of Illinois Center  
Suite 11-500  
Chicago, IL 60601  
(312) 814-6923

The full text of the adopted rule(s) begins on the following page:

## POLLUTION CONTROL BOARD

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## TITLE 35: ENVIRONMENTAL PROTECTION

## SUBTITLE B: AIR POLLUTION

## CHAPTER I: POLLUTION CONTROL BOARD

SUBCHAPTER c: EMISSION STANDARDS AND LIMITATIONS  
FOR STATIONARY SOURCES

## PART 212

## VISIBLE AND PARTICULATE MATTER EMISSIONS

## SUBPART A: GENERAL

Section  
212.100  
212.110  
212.111  
212.112  
212.113

Scope and Organization  
Measurement Methods  
Abbreviations and Units  
Definitions  
Incorporations by Reference

## SUBPART B: VISIBLE EMISSIONS

Section  
212.121  
212.122  
212.123  
212.124  
212.125  
212.126

Opacity Standards  
Limitations for Certain New Sources  
Limitations for All Other Sources  
Exceptions  
Determination of Violations  
Adjusted Opacity Standards Procedures

## SUBPART D: PARTICULATE MATTER EMISSIONS FROM INCINERATORS

Section  
212.181  
212.182  
212.183  
212.184

Limitations for Incinerators  
Aqueous Waste Incinerators  
Certain Wood Waste Incinerators  
Explosive Waste Incinerators

SUBPART E: PARTICULATE MATTER EMISSIONS FROM  
FUEL COMBUSTION EMISSION SOURCES

Section  
212.201  
212.202  
212.203  
212.204

Existing Sources Using Solid Fuel Exclusively Located in the Chicago Area  
Existing Sources Using Solid Fuel Exclusively Located Outside the Chicago Area  
Existing Controlled Sources Using Solid Fuel Exclusively  
New Sources Using Solid Fuel Exclusively



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212.205 Existing Coal-fired Industrial Boilers Equipped with Flue  
Gas Desulfurization Systems  
212.206 Sources Using Liquid Fuel Exclusively  
212.207 Sources Using More Than One Type of Fuel  
212.208 Aggregation of Existing Sources

SUBPART K: FUGITIVE PARTICULATE MATTER

Section  
212.301 Fugitive Particulate Matter  
212.302 Geographical Areas of Application  
212.303 Storage Piles  
212.304 Conveyor Loading Operations  
212.305 Traffic Areas  
212.306 Materials Collected by Pollution Control Equipment  
212.307 Spraying or Choke-Feeding Required  
212.308 Operating Program  
212.309 Minimum Operating Program  
212.310 Amendment to Operating Program  
212.311 Emission Standard for Particulate Collection Equipment  
212.312 Exception for Excess Wind Speed  
212.313 Covering for Vehicles  
212.315

SUBPART L: PARTICULATE MATTER EMISSIONS  
FROM PROCESS EMISSION SOURCES

Section  
212.321 New Process Sources  
212.322 Existing Process Sources  
212.323 Stock Piles

SUBPART N: FOOD MANUFACTURING

Section  
212.361 Corn Wet Milling Processes

SUBPART O: PETROLEUM REFINING, PETROCHEMICAL  
AND CHEMICAL MANUFACTURING

Section  
212.381 Catalyst Regenerators of Fluidized Catalytic Converters

SUBPART Q: STONE, CLAY, GLASS  
AND CONCRETE MANUFACTURING

Section  
212.421 New Portland Cement Processes

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212.422 Portland Cement Manufacturing Processes  
212.423 Emission Limits for the Portland Cement Manufacturing  
Plant Located in LaSalle County, South of the Illinois  
River  
212.424 Fugitive Particulate Matter Control for the Portland  
Cement Manufacturing Plant and Associated Quarry  
Operations Located in LaSalle County, South of the  
Illinois River

SUBPART R: PRIMARY AND FABRICATED METAL  
PRODUCTS AND MACHINERY MANUFACTURE

Section  
212.441 Steel Manufacturing Processes  
212.442 Beshive Coke Ovens  
212.443 By-Product Coke Plants  
212.444 Sinter Processes  
212.445 Blast Furnace Cast Houses  
212.446 Basic Oxygen Furnaces  
212.447 Hot Metal Desulfurization Not Located in the BOF  
212.448 Electric Arc Furnaces  
212.449 Argon-Oxygen Decarburization Vessels  
212.450 Liquid Steel Charging  
212.451 Hot Scarfing Machines  
212.452 Measurement Methods  
212.453 Highlines on Steel Mills  
212.454 Certain Small Foundries  
212.456 Certain Small Iron-melting Air Furnaces  
212.457

SUBPART S: AGRICULTURE

Section  
212.461 Grain Handling and Drying in General  
212.462 Grain Handling Operations  
212.463 Grain Drying Operations

SUBPART T: CONSTRUCTION AND WOOD PRODUCTS

Section  
212.681 Grinding, Woodworking, Sandblasting and Shotblasting

Appendix A Rule into Section Table  
Appendix B Section into Rule Table  
Appendix C Past Compliance Dates

Illustration A Allowable Emissions from Solid Fuel Combustion  
Emission Sources Outside Chicago  
Illustration B Limitations for all New Process Emission Sources



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Illustration C Limitations for all Existing Process Emission Sources

AUTHORITY: Implementing Section 10 and authorized by Section 27 of the Environmental Protection Act (Ill. Rev. Stat. 1989, ch. 111 1/2, pars. 1010 and 1027).

SOURCE: Adopted as Chapter 2: Air Pollution, Rules 202 and 203: Visual and Particulate Emission Standards and Limitations, R71-23, 4 PCB 191, filed and effective April 14, 1972; amended in R71-15, 32 PCB 403, at 3 Ill. Reg. 5, p. 798, effective February 3, 1979; amended in R78-10, 35 PCB 347, at 3 Ill. Reg. 39, p. 184, effective September 28, 1979; amended in R78-11, 35 PCB 505, at 3 Ill. Reg. 45, p. 100, effective October 26, 1979; amended in R78-9, 38 PCB 411, at 4 Ill. Reg. 24, p. 514, effective June 4, 1980; amended in R79-11, 43 PCB 481, at 5 Ill. Reg. 11590, effective October 19, 1981; codified at 7 Ill. Reg. 13591; amended in R82-1 (Docket A) at 10 Ill. Reg. 12637, effective July 9, 1986; amended in R85-33 at 10 Ill. Reg. 18030, effective October 7, 1986; amended in R84-48 at 10 Ill. Reg. 691, effective December 18, 1986; amended in R84-42 at 11 Ill. Reg. 1410, effective December 30, 1986; amended in R82-1 (Docket B) at 12 Ill. Reg. 12492, effective July 13, 1988; amended in R91-6 at 15 Ill. Reg. 15708, effective October 4, 1991; amended in R89-7(B) at 15 Ill. Reg. 17710 effective November 26, 1991.

SUBPART E: PARTICULATE MATTER EMISSIONS FROM  
FUEL COMBUSTION EMISSION SOURCES

Section 212.205 Existing Coal-fired Industrial Boilers  
Equipped with Flue Gas Desulfurization Systems

Notwithstanding Sections 212.201 through 212.204, no person shall cause or allow the emission of particulate matter into the atmosphere from existing coal-fired industrial boilers equipped with flue gas desulfurization systems to exceed 0.39 kg of particulate matter per MW-hr of actual heat input in any one-hour period (0.25 lbs/mmBtu). Nothing in this rule shall be construed to prevent compliance with applicable regulations in 35 Ill. Adm. Code 230- promulgated by the U.S. Environmental Protection Agency under Section 111 of the Clean Air Act (42 USC 7411) as amended. THE PROVISIONS OF SECTION 111 OF THE CLEAN AIR ACT RELATING TO STANDARDS OF PERFORMANCE FOR NEW STATIONARY SOURCES... ARE APPLICABLE IN THIS STATE AND ARE ENFORCEABLE UNDER [THE ENVIRONMENTAL PROTECTION ACT]. (ILL. REV. STAT., CH. 111, PAR. 1009.1(b)).

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(Source: Amended at 26, 1991. Reg. 17710 effective November 26, 1991.)

SUBPART R: PRIMARY AND FABRICATED METAL  
PRODUCTS AND MACHINERY MANUFACTURE

## Section 212.443 By-Product Coke Plants

a) Subpart B shall not apply to by-product coke plants.

b) Charging:

1) Uncaptured Emissions

A) No person shall cause or allow the emission of visible particulate matter from any coke oven charging operation, from the introduction of coal into the first charge port, as indicated by the first mechanical movement of the coal feeding mechanism on the larry car, to the replacement of the final charge port lid for more than a total of 125 seconds over 5 consecutive charges; provided however that 1 charge out of any 20 consecutive charges may be deemed an uncountable charge at the option of the operator.

B) Compliance with the limitation set forth in subsection (A) shall be determined in the following manner:

i) Observation of charging emissions shall be made from any point or points on the topside of a coke oven battery from which a qualified observer can obtain an unobstructed view of the charging operation.

ii) The qualified observer shall time the visible emissions with a stopwatch while observing the charging operation. Only emissions from the charge port and any part of the larry car shall be timed. The observation shall commence as soon as coal is introduced into the first charge port as indicated by the first mechanical movement of the coal feeding mechanism on the larry car and shall terminate when the last charge port lid has been replaced. Simultaneous emissions from more than one emission point shall be timed and



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recorded as one emission and shall not be added individually to the total time.

iii) The qualified observer shall determine and record the total number of seconds that charging emissions are visible during the charging of coal to the coke oven.

iv) For each charge observed, the qualified observer shall record the total number of seconds of visible emissions, the clock time for the initiation and completion of the charging operation and the battery identification and oven number.

v) The qualified observer shall not record any emissions observed after all charging port lids have been firmly seated following removal of the larry car, such as emissions occurring when a lid has been temporarily removed to permit spilled coal to be swept into the oven.

vi) In the event that observations from a charge are interrupted the data from the charge shall be invalidated and the qualified observer shall note on his observation sheet the reason for invalidating the data. The qualified observer shall then resume observation of the next consecutive charge or charges and continue until a set of five charges has been recorded. Charges immediately preceding and following interrupted observations shall be considered consecutive.

## 2) Emissions from Control Equipment

A) Emissions of particulate matter from control equipment used to capture emissions during charging shall not exceed 0.046 gm/dscm (0.020 gr/dscf). Compliance shall be determined in accordance with the procedures set forth in 35 Ill. Adm. Code 230-Appendix A (40 CFR 60, Appendix A, Methods 1-5) as regulations promulgated by the U.S. Environmental Protection Agency under Section 111 of the Clean Air Act (42 USC 7411), as amended. THE PROVISIONS OF SECTION 111 OF THE CLEAN AIR ACT...RELATING TO STANDARDS OF PERFORMANCE FOR NEW STATIONARY SOURCES...ARE APPLICABLE IN THIS STATE

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AND ARE ENFORCEABLE UNDER [THE ENVIRONMENTAL PROTECTION ACT]. (ILL. REV. STAT., CH. 111, PAR. 1009.1(b)).

B) The opacity of emissions from control equipment shall not exceed an average of 20%, averaging the total number of readings taken. Opacity readings shall be taken at 15-second intervals from the introduction of coal into the first charge port as indicated by the first mechanical movement of the coal feeding mechanism on the larry car to the replacement of the final charge port lid. Compliance, except for the number of readings required, shall be determined in accordance with 35 Ill. Adm. Code 230-Appendix A (40 CFR 60, Appendix A, Method 9), except for the number of readings required, as regulations promulgated by the U.S. Environmental Protection Agency under Section 111 of the Clean Air Act (42 USC 7411), as amended. THE PROVISIONS OF SECTION 111 OF THE CLEAN AIR ACT...RELATING TO STANDARDS OF PERFORMANCE FOR NEW STATIONARY SOURCES...ARE APPLICABLE IN THIS STATE AND ARE ENFORCEABLE UNDER [THE ENVIRONMENTAL PROTECTION ACT]. (ILL. REV. STAT., CH. 111, PAR. 1009.1(b)).

C) Opacity readings of emissions from control equipment shall be taken concurrently with observations of fugitive particulate matter. Two qualified observers shall be required.

3) Qualified observers referenced in subsection (b) shall be certified pursuant to 35 Ill. Adm. Code 230-Appendix A (40 CFR 60, Appendix A, Method 9), as regulations promulgated by the U.S. Environmental Protection Agency under Section 111 of the Clean Air Act (42 USC 7411), as amended. THE PROVISIONS OF SECTION 111 OF THE CLEAN AIR ACT...RELATING TO STANDARDS OF PERFORMANCE FOR NEW STATIONARY SOURCES...ARE APPLICABLE IN THIS STATE AND ARE ENFORCEABLE UNDER [THE ENVIRONMENTAL PROTECTION ACT]. (ILL. REV. STAT., CH. 111, PAR. 1009.1(b)).

## c) Pushing:

1) Uncaptured Emissions



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A) Emissions of fugitive particulate matter from pushing operations shall not exceed an average of 20% opacity for 4 consecutive pushes considering the highest average of six consecutive readings in each push. Opacity readings shall be taken at 15-second intervals, beginning from the time the coke falls into the receiving car or is first visible as it emerges from the coke guide whichever occurs earlier, until the receiving car enters the quench tower or quenching device. For a push of less than 90 seconds duration, the actual number of 15-second readings shall be averaged.

B) Opacity readings shall be taken by a qualified observer located in a position where the oven being pushed, the coke receiving car and the path to the quench tower are visible. The opacity shall be read as the emissions rise and clear the top of the coke battery gas mains. The qualified observer shall record opacity readings of emissions originating at the receiving car and associated equipment and the coke oven, including the standpipe on the coke side of the oven being pushed. Opacity readings shall be taken in accordance with the procedures set forth in 35-III. Adm. Code 230. Appendix A (40 CFR 60, Appendix A, Method 9), except that Section 2.5 for data reduction shall not be used. The qualified observer referenced in this subsection shall be certified pursuant to 35-III. Adm. Code 230. Appendix A (40 CFR 60, Appendix A, Method 9), as regulations promulgated by the U.S. Environmental Protection Agency under Section 111 of the Clean Air Act (42 USC 7411), as amended. THE PROVISIONS OF SECTION 111 OF THE CLEAN AIR ACT...RELATING TO STANDARDS OF PERFORMANCE FOR NEW STATIONARY SOURCES...ARE APPLICABLE IN THIS STATE AND ARE ENFORCEABLE UNDER [THE ENVIRONMENTAL PROTECTION ACT]. (ILL. REV. STAT., CH. 111, PAR. 1009.1(b)).

## 2) Emissions from Control Equipment

A) The particulate emissions from control equipment used to control emissions during pushing operations shall not exceed 0.040 pounds per ton of coke pushed. Compliance shall be determined in accordance with the procedures set forth in 35-III. Adm. Code 230. Appendix A (40 CFR 60, Appendix A,

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Methods 1-5), as regulations promulgated by the U.S. Environmental Protection Agency under Section 111 of the Clean Air Act (42 USC 7411), as amended. THE PROVISIONS OF SECTION 111 OF THE CLEAN AIR ACT...RELATING TO STANDARDS OF PERFORMANCE FOR NEW STATIONARY SOURCES...ARE APPLICABLE IN THIS STATE AND ARE ENFORCEABLE UNDER [THE ENVIRONMENTAL PROTECTION ACT]. (ILL. REV. STAT., CH. 111, PAR. 1009.1(b)). and Compliance shall be based on an arithmetic average of three runs (stack tests) and the calculations shall be based on the duration of a push as defined in subsection (c)(1)(A).

B) The opacity of emissions from control equipment used to control emissions during pushing operations shall not exceed 20%. For a push of less than six minutes duration, the actual number of 15-second readings taken shall be averaged. Compliance shall be determined in accordance with 35-III. Adm. Code 230. Appendix A (40 CFR 60, Appendix A, Method 9), as regulations promulgated by the U.S. Environmental Protection Agency under Section 111 of the Clean Air Act (42 USC 7411), as amended. THE PROVISIONS OF SECTION 111 OF THE CLEAN AIR ACT...RELATING TO STANDARDS OF PERFORMANCE FOR NEW STATIONARY SOURCES...ARE APPLICABLE IN THIS STATE AND ARE ENFORCEABLE UNDER [THE ENVIRONMENTAL PROTECTION ACT]. (ILL. REV. STAT., CH. 111, PAR. 1009.1(b)). except that Section 2.5 of 40 CFR 60, Appendix A, Method 9 for data reduction shall not be used for pushes of less than six minutes duration.

## d) Coke Oven Doors:

- 1) No person shall cause or allow visible emissions from more than 10% of all coke oven doors at any time. Compliance shall be determined by a one pass observation of all coke oven doors on any one battery.
- 2) No person shall cause or allow the operation of a coke oven unless there is on the plant premises at all times an adequate inventory of spare coke oven doors and seals and unless there is a readily available coke oven door repair facility.
- e) Coke Oven Lids: No person shall cause or allow visible emission from more than 5% of all coke oven lids at any time.



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Compliance shall be determined by a one pass observation of all coke oven lids.

- f) **Coke Oven Offtake Piping:** No person shall cause or allow visible emissions from more than 10% of all coke oven offtake piping at any time. Compliance shall be determined by a one pass observation of all coke oven offtake piping.
- g) **Coke Oven Combustion Stack:** No person shall cause or allow the emission of particulate matter from a coke oven combustion stack to exceed 110 mg/dscm (0.05 gr/dscf).
- h) **Quenching:** All coke oven quench towers shall be equipped with grit arrestors or equipment of comparable effectiveness. The make-up water shall not directly include coke by-product plant effluent. Total dissolved solids concentrations in the make-up water shall not exceed 1500 mg/l. Provided however that the limitations on the quality of quench make-up water shall not apply where the operator employs an equivalent method of control as determined by the Agency.
- i) **Work Rules:** No person shall cause or allow the operation of a by-product coke plant except in accordance with operating and maintenance work rules approved by the Agency.

(Source: Amended at 15 Ill. Reg. \_\_\_\_\_, effective November 26, 1991.)

## DEPARTMENT OF PROFESSIONAL REGULATION

## NOTICE OF ADOPTED AMENDMENTS

- 1) **Heading of the Part:** Medical Practice Act of 1987
- 2) **Code Citation:** 68 Ill. Adm. Code 1285
- 3) **Section Numbers:** Adopted Action:  
1285.105 New Section
- 4) **Statutory Authority:** Medical Practice Act of 1987 (Ill. Rev. Stat. 1989, ch. 111, par. 4400-11 as amended by P.A. 86-1251, Section 1, effective July 1, 1991).
- 5) **Effective Date of Amendments:** November 26, 1991
- 6) **Does this rulemaking contain an automatic repeal date?** No
- 7) **Do these Amendments contain incorporations by reference?** No
- 8) **Date Filed in Agency's Principal Office:** November 26, 1991
- 9) **Date Notice of Proposal Published in Illinois Register:** August 9, 1991, at 15 Ill. Reg. 11389
- 10) **Has ICAR issued a Statement of Objections to these Rules?** No
- 11) **Difference(s) between proposal and final version:**  
The SOURCE was updated to reflect adoption of amendments to this Part on September 3, 1991.
- 12) **Have all the changes agreed upon by the Agency and ICAR been made as indicated in the agreement letter issued by ICAR?** Yes
- 13) **Will these Amendments replace Emergency Amendments currently in effect?** No
- 14) **Are there any Amendments pending on this Part?** No
- 15) **Summary and Purpose of Amendments:** This rulemaking implements Public Act 86-1251, which amends the Medical Practice Act of 1987 and requires the Department to register chiropractor preceptorship programs and preceptor chiropractic physicians. These rules give provisions under which chiropractic students can work in a chiropractor's office without a license provided they are enrolled in an approved chiropractic college and are in their last semester or quarter of the program.



DEPARTMENT OF PROFESSIONAL REGULATION  
NOTICE OF ADOPTED AMENDMENTS

- 16) Information and questions regarding these Adopted Amendments shall be directed to:

Department of Professional Regulation  
Attention: Jean Courtney  
320 West Washington, 3rd Floor  
Springfield, Illinois 62786  
217/785-0800

The full text of the Adopted Amendments begins on the next page:

DEPARTMENT OF PROFESSIONAL REGULATION  
NOTICE OF ADOPTED AMENDMENTS

TITLE 68: PROFESSIONS AND OCCUPATIONS  
CHAPTER VII: DEPARTMENT OF PROFESSIONAL REGULATION  
SUBCHAPTER b: PROFESSIONS AND OCCUPATIONS

PART 1285  
MEDICAL PRACTICE ACT OF 1987

SUBPART A: MEDICAL LICENSING, RENEWAL & RESTORATION PROCEDURE

Section	
1285.20	Six (6) Year Post-Secondary Programs of Medical Education
1285.30	Programs of Chiropractic Education
1285.40	Approved Postgraduate Training Programs
1285.50	Application for Examination
1285.60	Examinations
1285.70	Application for License on the Basis of Examination
1285.80	License by Endorsement
1285.90	Temporary Licenses
1285.95	Clinical Skills Standards for Pre-1985 Graduates
1285.100	Visiting Professor Permits
1285.105	Chiropractic Physician Preceptorship
1285.110	Continuing Medical Education (CME)
1285.120	Renewals
1285.130	Restoration and Inactive Status
1285.140	Granting Variances

SUBPART B: MEDICAL DISCIPLINARY PROCEEDINGS

1285.200	Medical Disciplinary Board
1285.205	Complaint Committee
1285.210	The Medical Coordinator
1285.215	Complaint Handling Procedure
1285.220	Informal Conferences
1285.225	Consent Orders
1285.230	Summary Suspension
1285.235	Mandatory Reporting of Impaired Physicians by Health Care Institutions
1285.240	Standards
1285.245	Advertising
1285.250	Monitoring of Probation and Other Discipline and Notification
1285.255	Rehabilitation
1285.260	Fines
1285.265	Subpoena Process of Medical and Hospital Records
1285.270	Inspection of Physical Premises
1285.275	Failing to Furnish Information



## DEPARTMENT OF PROFESSIONAL REGULATION

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## SUBPART C: GENERAL INFORMATION

1285.310 Public Access to Records and Meetings  
 1285.320 Response to Hospital Inquiries  
 1285.330 Rules of Evidence

**AUTHORITY:** Implementing the Medical Practice Act of 1987 (Ill. Rev. Stat. 1987, ch. 111, pars. 4401-1 et seq.) and authorized by Section 60(7) of The Civil Administrative Code of Illinois (Ill. Rev. Stat. 1987, ch. 127, par. 60(7)).

**SOURCE:** Adopted at 13 Ill. Reg. 483, effective December 29, 1988; emergency amendment at 13 Ill. Reg. 651, effective January 1, 1989, for a maximum of 150 days; emergency expired May 31, 1989; amended at 13 Ill. Reg. 10613, effective June 16, 1989; amended at 13 Ill. Reg. 10925, effective June 21, 1989; emergency amendment at 15 Ill. Reg. 7785, effective April 30, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 13365, effective September 3, 1991; amended at 15 Ill. Reg. 17724 effective November 26, 1991.

## Section 1285.105 Chiropractic Physician Preceptorship

a) Pursuant to Section 11.1 of the Act, a chiropractic college or a chiropractic physician shall file an application with the Department, on forms provided by the Department, along with the required fee set forth in Section 21(e)(12) of the Act, to register as a preceptorship program or as a preceptor, respectively.

1) In order to be an approved preceptor program, a chiropractic college shall:

- A) be accredited by the Council on Chiropractic Education;
- B) offer as a part of its curriculum a preceptorship program;
- C) certify to the Department, on forms supplied by the Department, that all students who participate in the preceptorship program are in their last semester or quarter of their education and are eligible for graduation except for the preceptorship;
- D) certify to the Department, on forms supplied by the Department, that all chiropractic physicians who participate as preceptors are faculty of the institution;
- E) certify to the Department, on forms supplied by the Department, that an outline or description of the preceptor program has been developed with the preceptor chiropractic physician; and
- F) provide to the Department on an annual basis a list of students eligible to participate in a preceptorship program and a list of chiropractic physicians to be utilized by the college as preceptors.

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2) In order to be an approved preceptor, a chiropractic physician shall:

- A) certify to the Department, on forms supplied by the Department:
  - i) current licensure in Illinois;
  - ii) continuous licensure in Illinois for 3 years or more prior to functioning as a preceptor;
  - iii) faculty membership at an approved chiropractic college;
  - iv) that malpractice insurance coverage will be provided in accordance with Section 11.1(c)(3) of the Act;
  - v) that a location and schedule for the practice of the chiropractic student has been provided to the satisfaction of the chiropractic college;
  - vi) that an outline or description of the preceptor program has been developed with the approved chiropractic college;
  - vii) that there have been no sanctions on the preceptor applicant's chiropractic license in the last two years; and
  - viii) that Section 11.1 of the Act and this Section have been read and understood by the preceptor applicant.
- B) provide the location of the preceptor program.
- 3) An approved preceptor program and preceptor chiropractic physician shall file an application with the Department and submit the registration every July 1 in order to maintain their approval status.
  - b) No student in a preceptorship program shall be entitled to engage in the practice of chiropractic in this State, except as authorized by Section 11.1 of the Act. To practice chiropractic, except as authorized by Section 11.1 of the Act, before the student receives a license as a chiropractic physician shall be considered the unlicensed practice of chiropractic.

(Source: Added at 15 Ill. Reg. 17724, effective November 26, 1991)



## DEPARTMENT OF PROFESSIONAL REGULATION

## DEPARTMENT OF PROFESSIONAL REGULATION

## NOTICE OF ADOPTED AMENDMENTS

## NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: The Professional Engineering Practice Act of 1989
- 2) Code Citation: 68 Ill. Adm. Code 1380
- 3) Section Numbers: Adopted Action:  
1380.230 Amendment
- 4) Statutory Authority: Ill. Rev. Stat. 1989, ch. 111, pars. 5205 and 5208.
- 5) Effective Date of Amendments: November 26, 1991
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Do these Amendments contain incorporations by reference? No
- 8) Date Filed in Agency's Principal Office: November 26, 1991
- 9) Date Notice of Proposal Published in Illinois Register: June 14, 1991, at 15 Ill. Reg. 8631
- 10) Has JCAR issued a Statement of Objections to these amendments? No
- 11) Difference(s) between proposal and final version:

Changes were technical in nature to improve syntax and make content conform to style.

- 12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes, the changes agreed upon by the Agency and JCAR have been made.

- 13) Will these Amendments replace an Emergency Amendment currently in effect?  
No

- 14) Are there any Amendments pending on this Part? No

- 15) Summary and Purpose of Amendments: This rulemaking clarifies that an applicant for licensure as a professional engineer may meet experience requirements under supervision of any person legally practicing engineering--not just a licensed professional engineer.

- 16) Information and questions regarding this amended part shall be directed to:

Department of Professional Regulation  
Attention: Jean Courtney  
320 West Washington, 3rd Floor  
Springfield, Illinois 62786  
217/785-0800

The full text of the Adopted Amendments begins on the next page:



DEPARTMENT OF PROFESSIONAL REGULATION  
NOTICE OF ADOPTED AMENDMENTS

TITLE 68: PROFESSIONS AND OCCUPATIONS  
CHAPTER VII: DEPARTMENT OF PROFESSIONAL REGULATION  
SUBCHAPTER b: PROFESSIONS AND OCCUPATIONS

PART 1380  
THE PROFESSIONAL ENGINEERING PRACTICE ACT OF 1989

Section	Approved Engineering Program
1380.210	Definition of Degree in Basic Engineering or Related Science
1380.220	Approved Experience
1380.230	Application for Enrollment as an Engineer Intern by Examination
1380.240	Application for Licensure as a Professional Engineer by Examination
1380.250	Examination
1380.260	Restoration
1380.270	Endorsement
1380.280	Inactive Status
1380.285	Corporations and Partnerships
1380.290	Standards of Professional Conduct
1380.300	Renewals
1380.310	Granting Variances
1380.320	Significant Dates for the Administration of Section 19 of the Act
1380. Appendix A	- Endorsement

AUTHORITY: Implementing The Professional Engineering Practice Act of 1989 (Ill. Rev. Stat. 1989, ch. 111, par. 5201 et seq.) and authorized by Section 60(7) of The Civil Administrative Code of Illinois (Ill. Rev. Stat. 1989, ch. 127 par. 60(7)).

SOURCE: Rules and Regulations Promulgated for the Administration of the Illinois Professional Engineering Act, effective March 10, 1976; codified at 5 Ill. Reg. 11055; amended at 5 Ill. Reg. 14171, effective December 3, 1981; emergency amendment at 6 Ill. Reg. 916, effective January 6, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 7448, effective June 15, 1982; Part repealed at 9 Ill. Reg. 10038, effective June 18, 1985; new Part adopted at 9 Ill. Reg. 10040, effective June 18, 1985; amended at 10 Ill. Reg. 19507, effective November 5, 1986; amended at 11 Ill. Reg. 8767, effective April 20, 1987; recodified from Chapter I, 68 Ill. Adm. Code 380 (Department of Registration and Education) to Chapter VII, 68 Ill. Adm. Code 1380 (Department of Professional Regulation) pursuant to P.A. 85-225, effective January 1, 1988, at 12 Ill. Reg. 2942; amended at 15 Ill. Reg. 247, effective December 28, 1990; amended at 15 Ill. Reg. 17729, effective November 26, 1991.

DEPARTMENT OF PROFESSIONAL REGULATION  
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Section 1380.230 Approved Experience

- a) Each ~~individual~~ application shall be reviewed by the Board to determine if the ~~applicant's submitted~~ whether the applicant has shown evidence that his/her professional experience meets the requirements for licensure as described in this Section. All experience shall have been acquired after receipt of the baccalaureate degree except as provided in subsections (3) and (4) below.
  - 1) Credit for one year of experience shall be given for completion of graduate study resulting in a master's degree in engineering, except as credited under Section 1380.220(d).
  - 2) Credit for two years of experience shall be given for completion of graduate study resulting in a doctor's degree in engineering. The maximum credit for graduate study shall be 2 years, except as credited under Section 1380.220(d).
  - 3) Credit for one year of experience shall be given for a graduate of a university certified cooperative program, which is a supervised industrial or field experience of at least one calendar year which alternates with periods of full-time academic training.
  - 4) ~~As provided for in Section 8(b)(2) of the Act,~~ credit for professional engineering experience earned PRIOR TO receipt of a baccalaureate degree shall be given if the experience is full-time and if the applicant takes eight or more years to earn the degree as a part-time student, as provided for in Section 8(b)(2) of the Act.
  - 5) Experience shall be under the supervision of a licensed professional engineer or a person legally practicing engineering pursuant to Section 3 of the Act who verifies the number of years during which the applicant was doing work at a professional level, and the manner in which the work prepares the applicant for licensure as a professional engineer.
  - 6) Credit for all necessary experience or any remaining experience shall only be given for actual experience in the practice of professional engineering. ~~Such experience shall be within the definition of the practice as set forth in Section 4(o) of the Act, and shall require the application of technical knowledge and professional engineering principles, and shall become progressively more complex. In at least the last two years of experience, the applicant shall have had primary responsibility for the accomplishment of the work engineering activities.~~
- b) While an applicant may receive either experience credit, education credit or both, he/she may not receive more than one year's total credit for any one year (i.e., overlapping experience and education will be credited to one or the other category but not both).

(Source: Amended at 15 Ill. Reg. 17729, effective November 26, 1991.)



## DEPARTMENT OF PUBLIC AID

## NOTICE OF ADOPTED AMENDMENTS

1) The Heading of the Part: MEDICAL PAYMENT

2) Code Citation: 89 Ill. Adm. Code 140

3) Section Numbers: Adopted Action:

140.71 Amendment

140.518 Amendment

140.569 Amendment

4) Statutory Authority:

89 Ill. Adm. Code 140.71

Sections 5-5.1 et seq. and 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1989, Ch. 23, Pars. 5-5.1 et seq. and 12-13)

89 Ill. Adm. Code 140.518

Sections 5-5 et seq. and 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1989, Ch. 23, Pars. 5-5 et seq. and 12-13)

89 Ill. Adm. Code 140.569

Sections 5-5.1 et seq. and 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1989, Ch. 23, Pars. 5-5.1 et seq. and 12-13)

5) Effective Date of Adopted Amendments: November 22, 1991

6) Does this rulemaking contain an automatic repeal date?  
Yes ☐ No ☒

7) Do these Adopted Amendments contain incorporations by reference? No

8) Date Filed in Agency's Principal Office: November 22, 1991

9) Notices of Proposal Published in Illinois Register:

89 Ill. Adm. Code 140.71

December 21, 1990 (14 Ill. Reg. 20170)

89 Ill. Adm. Code 140.518

July 5, 1991 (15 Ill. Reg. 9885)

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89 Ill. Adm. Code 140.569

June 14, 1991 (15 Ill. Reg. 8656)

10) Has JCAR issued a Statement of Objections to these Adopted Amendments? No

11) Differences between proposal and final version:

89 Ill. Adm. Code 140.71

Second Notice changes:

(a)(1)(A) - delete "and in good standing".

(a)(1)(B)(ii) - delete "promptly".

(a)(1)(C) - changed subsection "ii" to "iii"; changed subsection "iii" to "iv"; added new subsections "ii", "v", "vi" and "vii".

(a)(1)(C)(iii) - delete ", and";

(a)(1)(C)(iv) - delete "patients must be eligible for public assistance"; added "patient revenue must be generated through Medicaid reimbursement" at the end of the subsection.

(a)(1)(D)(v) - delete the whole subsection.

(a)(3)(B) - added "agreement must be" before "signed"; delete "agreement must" after "signed" and added "by the administrator, owner, chief executive officer or other authorized representative and" before "be received".

(a)(3)(C) - added "Once all requirements of (a)(3) are met, the Administrator will authorize payment within 7 days." as the last sentence of the subsection.

(a)(4)(B) - added "For providers who are properly certified, licensed or otherwise qualified under appropriate State and federal requirements," before "The recoupment"; changed "The" before "recoupment" to "the" and added the last sentence in the subsection "For those providers enrolled but not in good standing (e.g., decertification termination hearing or other adverse action is pending), recoupment will be made from the next available payments owed the provider."



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- (a) - added subsection "5)".
- (b)(1)(A) - delete "and in good standing".
- (b)(1)(C)(iii) - replace "patients must be eligible for public assistance" with "patient revenue be generated through Medicaid reimbursement".
- (b)(1)(C) - added new subsections "iv)", "v)" and "vi)".
- (b) - added new subsection "4)".

## JCAR changes:

- (a)(1) - added ", " after "voucher" and added ", " after "payment".
- (a)(1)(B)(ii) - capitalized "state"; added ", " after "provider" and changed ". " after "clients" to ";".
- (a)(1)(C)(iv) - added "must" after "revenue".
- (a)(1)(C)(v) - capitalized "section".
- (a)(1)(C)(vii) - changed ". " to ";".
- (a)(1)(D)(iv) - spelled out "MMIS".
- (a)(3)(A)(i) - changed "advanced" to "advance".
- (b)(1) - deleted "Medicaid Management Information System" and deleted "( " and ")" from "(MMIS)".
- (b)(1)(B)(ii) - changed ". " after "clients" to ";".
- (b)(1)(C)(iv) - capitalized "section".
- (b)(2) - added "be" after "will".

89 Ill. Adm. Code 140.518

Beginning paragraph: the word "the" before "written" is not deleted; delete "or" before "the resident's guardian"; and delete "or" before "the resident's representative".

Subsection (e): delete "and"

Changed Subsection (f) to read as follows:

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- (f) "Keep resident funds in an account or accounts which are separate from any facility operating funds or the funds of any person other than another resident. The facility shall establish and maintain a system that assures a full and complete and separate accounting of each resident's account balance. For resident funds that are commingled with the funds of other residents, all interest earned on the resident's funds shall be pro-rated and properly credited to each resident's account balance. The system shall contain documents identifying all transactions made by the facility on behalf of the resident. All deposits and withdrawals are to be shown by date and amount and identifiable receipts for all purchases must be retained; and"

Subsection (g): delete "The facility must"; capitalize "notify"; and delete ", the resident may lose eligibility for Medicaid or SSI".

89 Ill. Adm. Code 140.569

In response to comments from the Long Term Care Constituency Section of the Illinois Hospital Association, references to 77 Ill. Adm. Code. 250.910(e) and (f)(1) were added to Sections 140.569(c)(1) and (2). Additionally, in Section 140.569(a)(4), the phrase "nursing home providers" was changed "to nursing home Providers".

- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes
  - 13) Will these Adopted Amendments replace Emergency Amendments currently in effect? No
  - 14) Are there any Amendments pending on this Part? Yes
- | Section Numbers | Proposed Action | Illinois Register Citation              |
|-----------------|-----------------|---|
| 140.2           | Amendment       | August 30, 1991<br>(15 Ill. Reg. 12171) |
| 140.3           | Amendment       | August 30, 1991<br>(15 Ill. Reg. 12171) |
| 140.5           | Amendment       | August 30, 1991<br>(15 Ill. Reg. 12171) |



## DEPARTMENT OF PUBLIC AID

## NOTICE OF ADOPTED AMENDMENTS

Section Numbers	Proposed Action	Illinois Register Citation
140.11	Amendment	May 10, 1991 (15 Ill. Reg. 6949)
140.94	Amendment	November 8, 1991 (15 Ill. Reg. 15933)
140.95	Amendment	November 8, 1991 (15 Ill. Reg. 15933)
140.400	Amendment	August 30, 1991 (15 Ill. Reg. 12171)
140.425	Repealed	August 30, 1991 (15 Ill. Reg. 12171)
140.426	Repealed	August 30, 1991 (15 Ill. Reg. 12171)
140.428	Repealed	August 30, 1991 (15 Ill. Reg. 12171)
140.440	Amendment	August 30, 1991 (15 Ill. Reg. 12171)
140.441	Amendment	August 30, 1991 (15 Ill. Reg. 12171)
140.442	Amendment	August 30, 1991 (15 Ill. Reg. 12171)
140.449	Amendment	August 30, 1991 (15 Ill. Reg. 12171)
140.469	Amendment	September 20, 1991 (15 Ill. Reg. 13685)
140.512	Amendment	September 13, 1991 (15 Ill. Reg. 13274)
140.513	Amendment	September 13, 1991 (15 Ill. Reg. 13274)
140.514	Amendment	August 16, 1991 (15 Ill. Reg. 11555)
140.530	Amendment	November 8, 1991 (15 Ill. Reg. 15933)

## DEPARTMENT OF PUBLIC AID

## NOTICE OF ADOPTED AMENDMENTS

Section Numbers	Proposed Action	Illinois Register Citation
140.538	Amendment	November 8, 1991 (15 Ill. Reg. 15933)
140.552	Amendment	November 8, 1991 (15 Ill. Reg. 15933)
140.560	Amendment	April 19, 1991 (15 Ill. Reg. 5585)
140.561	Amendment	May 17, 1991 (15 Ill. Reg. 7482)
140.562	Amendment	November 8, 1991 (15 Ill. Reg. 15933)
140.569	Amendment	November 8, 1991 (15 Ill. Reg. 15933)
140.583	Amendment	November 8, 1991 (15 Ill. Reg. 15933)
140.646	Amendment	May 10, 1991 (15 Ill. Reg. 6949)
140.835	Repealed	November 8, 1991 (15 Ill. Reg. 15933)
140.TABLE E	Amendment	August 30, 1991 (15 Ill. Reg. 12171)
140.TABLE F	Repealed	August 30, 1991 (15 Ill. Reg. 12171)

## 15) Summary and Purpose of Adopted Amendments:

## 89 Ill. Adm. Code 140.71

Under the Department's current medical payment system, there are three possible payment methods:

- 1) regular processing through the MMIS system;
- 2) expedited processing (moving claims up in the processing scheduled); or
- 3) C-13 advances based on claims received, or estimated services provided.



## NOTICE OF ADOPTED AMENDMENTS

How providers are placed in these latter two categories are not contained in administrative rules. This rule is designed to spell out under what circumstances C-13 and expedited payments are issued. These circumstances are limited to emergency situations due to agency error, or cash flow problems of the provider or the State. These rules will ensure equity of treatment between providers and simplify the administration of such payments.

89 Ill. Adm. Code 140.518

This revision is updating the rule to coincide with the Nursing Home Care Act and OBRA requirements dealing with who may authorize the facility to handle resident funds, how accounts should be established and managed, and resident notification requirements for the facility to follow.

89 Ill. Adm. Code 140.562

There are two changes in the rule. The first, Section 140.569(a)(1), removes the reference to QUIP and lists the specific points that define substantial compliance. These points match the basic eligibility criteria for QUIP with one exception, the facility does not have to be licensed under the Nursing Home Care Act. This will allow hospital based long term care facilities, that are not licensed under the Nursing Home Care Act, to apply for participation in the Exceptional Care Program.

The second, Section 140.569(1)(3), allows the Exceptional Care staff to waive a review only if previous assessments justify the appropriateness. On site assessments have shown that the level of care, and related costs of some of the residents' care, stabilizes after the first several months in the facility. In such cases, as long as the Exceptional Care nurse believes the quality of care would not be compromised, this change would give the nurse the option to waive that particular assessment.

- 16) Information and questions regarding these Adopted Amendments shall be directed to:

89 Ill. Adm. Code 140.71

Name: Daniel C. Leikvold, Staff Attorney  
Office of the General Counsel

## NOTICE OF ADOPTED AMENDMENTS

Address: Illinois Department of Public Aid  
Jesse B. Harris Building II  
100 South Grand Avenue East, 3rd Floor  
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89 Ill. Adm. Code 140.518

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89 Ill. Adm. Code 140.562

Name: Myron Brigman  
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The full text of the Adopted Amendments begins on the next page:



## DEPARTMENT OF PUBLIC AID

## NOTICE OF ADOPTED AMENDMENTS

TITLE 89: SOCIAL SERVICES  
CHAPTER I: DEPARTMENT OF PUBLIC AID  
SUBCHAPTER d: MEDICAL PROGRAMSPART 140  
MEDICAL PAYMENT

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140.2	Medical Assistance Programs
140.3	Covered Services Under The Medical Assistance Programs for AFDC, AFDC-MANG, AABD, AABD-MANG, RRP, Individuals Under Age 18 Not Eligible for AFDC, Pregnant Women Who Would Be Eligible if the Child Were Born and Pregnant Women and Children Under Age Eight Who Do Not Qualify As Mandatory Categorically Needy
140.4	Covered Medical Services Under AFDC-MANG for non-pregnant persons who are 18 years of age or older (Repealed)
140.5	Covered Medical Services Under GA and AMI
140.6	Medical Services Not Covered
140.7	Medical Assistance Provided to Individuals Under the Age of Eighteen Who Do Not Qualify for AFDC and Children Under Age Eight
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140.14	Denial of Application to Participate in the Medical Assistance Program
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## DEPARTMENT OF PUBLIC AID

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140.40	Prior Approval for Medical Services or Items
140.41	Prior Approval in Cases of Emergency
140.42	Limitation on Prior Approval
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140.71	<del>Drug Manual (Repealed)</del> -Reimbursement for Medical Services Through the Use of a C-13 Invoice Voucher
140.72	Advance Payment and Expedited Payments
140.73	Drug Manual (Recodified)
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140.110	Disproportionate Share Hospital Adjustments (Recodified)
140.116	Payment for Inpatient Services for GA (Recodified)
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## DEPARTMENT OF PUBLIC AID

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140.392	Types of Subacute Alcoholism and Substance Abuse Services (Recodified)
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## DEPARTMENT OF PUBLIC AID

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## DEPARTMENT OF PUBLIC AID

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AUTHORITY: Implementing Article III of the Illinois Health Finance Reform Act (Ill. Rev. Stat. 1989, ch. 111 1/2, par. 6503-1 et seq.) and implementing and authorized by Articles III, IV, V, VI, VII and Section 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1989, ch. 23, pars. 3-1 et seq., 4-1 et seq., 5-1 et seq., 6-1 et seq., 7-1 et seq., and 12-13)

SOURCE: Adopted at 3 Ill. Reg. 24, p. 166, effective June 10, 1979; rule repealed and new rule adopted at 6 Ill. Reg. 8374, effective July 6, 1982; emergency amendment at 6 Ill. Reg. 8508, effective July 6, 1982, for a maximum of 150 days; amended at 7 Ill. Reg. 681, effective December 30, 1982; amended at 7 Ill. Reg. 7956, effective July 1, 1983; amended at 7 Ill. Reg. 8308, effective July 1, 1983; amended at 7 Ill. Reg. 8271, effective July 5, 1983; emergency amendment at 7 Ill. Reg. 8354, effective July 5, 1983, for a maximum of 150 days; amended at 7 Ill. Reg. 8540, effective July 15, 1983; amended at 7 Ill. Reg. 9382, effective July 22, 1983; amended at 7 Ill. Reg. 12868, effective September 20, 1983; peremptory

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## NOTICE OF ADOPTED AMENDMENTS

amendment at 7 Ill. Reg. 15047, effective October 31, 1983; amended at 7 Ill. Reg. 17358, effective December 21, 1983; amended at 8 Ill. Reg. 254, effective December 21, 1983; emergency amendment at 8 Ill. Reg. 580, effective January 1, 1984, for a maximum of 150 days; recodified at 8 Ill. Reg. 2483; amended at 8 Ill. Reg. 3012, effective February 22, 1984; amended at 8 Ill. Reg. 5262, effective April 9, 1984; amended at 8 Ill. Reg. 6785, effective April 27, 1984; amended at 8 Ill. Reg. 6983, effective May 9, 1984; amended at 8 Ill. Reg. 7258, effective May 16, 1984; emergency amendment at 8 Ill. Reg. 7910, effective May 22, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 7910, effective June 1, 1984; amended at 8 Ill. Reg. 10032, effective June 18, 1984; emergency amendment at 8 Ill. Reg. 10062, effective June 20, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 13343, effective July 17, 1984; amended at 8 Ill. Reg. 13779, effective July 24, 1984; Sections 140.72 and 140.73 recodified to 89 Ill. Adm. Code 141 at 8 Ill. Reg. 16354; amended (by adding sections being codified with no substantive change) at 8 Ill. Reg. 17899; peremptory amendment at 8 Ill. Reg. 18151, effective September 18, 1984; amended at 8 Ill. Reg. 21629, effective October 19, 1984; peremptory amendment at 8 Ill. Reg. 21677, effective October 24, 1984; amended at 8 Ill. Reg. 22097, effective October 24, 1984; peremptory amendment at 8 Ill. Reg. 22155, effective October 29, 1984; amended at 8 Ill. Reg. 23218, effective November 20, 1984; emergency amendment at 8 Ill. Reg. 23721, effective November 21, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 25067, effective December 19, 1984; emergency amendment at 9 Ill. Reg. 407, effective January 1, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 6235, effective February 22, 1985; amended at 9 Ill. Reg. 8677, effective April 19, 1985; amended at 9 Ill. Reg. 9564, effective May 28, 1985; amended at 9 Ill. Reg. 10025, effective June 26, 1985; emergency amendment at 9 Ill. Reg. 11403, effective June 27, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 11357, effective June 28, 1985; amended at 9 Ill. Reg. 12000, effective July 24, 1985; amended at 9 Ill. Reg. 12306, effective August 5, 1985; amended at 9 Ill. Reg. 13998, effective September 3, 1985; amended at 9 Ill. Reg. 14684, effective September 13, 1985; amended at 9 Ill. Reg. 15503, effective October 4, 1985; amended at 9 Ill. Reg. 16312, effective October 11, 1985; amended at 9 Ill. Reg. 19138, effective December 2, 1985; amended at 9 Ill. Reg. 19737, effective December 9, 1985; amended at 10 Ill. Reg. 238, effective December 27, 1985; emergency amendment at 10 Ill. Reg. 798, effective January 1, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 672, effective January 6, 1986; amended at 10 Ill. Reg. 1206, effective January 13, 1986; amended at 10



## DEPARTMENT OF PUBLIC AID

## NOTICE OF ADOPTED AMENDMENTS

28, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 16738, effective October 5, 1988; amended at 12 Ill. Reg. 17879, effective October 24, 1988; amended at 12 Ill. Reg. 18198, effective November 4, 1988; amended at 12 Ill. Reg. 19396, effective November 6, 1988; amended at 12 Ill. Reg. 19734, effective November 15, 1988; amended at 13 Ill. Reg. 125, effective January 1, 1989; amended at 13 Ill. Reg. 2475, effective February 14, 1989; amended at 13 Ill. Reg. 3069, effective February 28, 1989; amended at 13 Ill. Reg. 3351, effective March 6, 1989; amended at 13 Ill. Reg. 3917, effective March 17, 1989; amended at 13 Ill. Reg. 5115, effective April 3, 1989; amended at 13 Ill. Reg. 5718, effective April 10, 1989; Sections 140.850 thru 140.896 recodified to 89 Ill. Adm. Code 146.5 thru 146.225 at 13 Ill. Reg. 7040; amended at 13 Ill. Reg. 7025, effective April 24, 1989; amended at 13 Ill. Reg. 7786, effective May 20, 1989; Sections 140.94 thru 140.398 recodified to 89 Ill. Adm. Code 148.10 thru 148.390 at 13 Ill. Reg. 9572; emergency amendment at 13 Ill. Reg. 10977, effective July 1, 1989, for a maximum of 150 days; emergency expired November 28, 1989; amended at 13 Ill. Reg. 11516, effective July 3, 1989; amended at 13 Ill. Reg. 12119, effective July 7, 1989; Section 140.110 recodified to 89 Ill. Adm. Code 148.120 at 13 Ill. Reg. 12118; amended at 13 Ill. Reg. 12562, effective July 17, 1989; amended at 13 Ill. Reg. 14391, effective August 31, 1989; emergency amendment at 13 Ill. Reg. 15473, effective September 12, 1989, for a maximum of 150 days; amended at 14 Ill. Reg. 16992, effective October 16, 1989; amended at 14 Ill. Reg. 190, effective December 21, 1989; amended at 14 Ill. Reg. 2564, effective February 9, 1990; emergency amendment at 14 Ill. Reg. 3241, effective February 14, 1990, for a maximum of 150 days; emergency expired July 14, 1990; amended at 14 Ill. Reg. 4543, effective March 12, 1990; emergency amendment at 14 Ill. Reg. 4577, effective March 6, 1990, for a maximum of 150 days; emergency expired August 3, 1990; emergency amendment at 14 Ill. Reg. 5575, effective April 1, 1990, for a maximum of 150 days; emergency expired August 29, 1990; emergency amendment at 14 Ill. Reg. 5865, effective April 3, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 7141, effective April 27, 1990; emergency amendment at 14 Ill. Reg. 7249, effective April 27, 1990, for a maximum of 150 days; amended at 14 Ill. 10062, effective June 12, 1990; amended at 14 Ill. Reg. 10409, effective June 19, 1990; emergency amendment at 14 Ill. Reg. 12082, effective July 5, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 13262, effective August 6, 1990; emergency amendment at 14 Ill. Reg. 14184, effective August 16, 1990, for a maximum of 150 days; emergency amendment at 14 Ill. Reg. 14570, effective August 22, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 14826, effective August 31, 1990; amended at 14 Ill. Reg. 13366,



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effective September 12, 1990; amended at 14 Ill. Reg. 15981, effective September 21, 1990; amended at 14 Ill. Reg. 17279, effective October 12, 1990; amended at 14 Ill. Reg. 18057, effective October 22, 1990; amended at 14 Ill. Reg. 18508, effective October 30, 1990; amended at 14 Ill. Reg. 18813, effective November 6, 1990; amended at 14 Ill. Reg. 20478, effective December 7, 1990; amended at 14 Ill. Reg. 20729, effective December 12, 1990; amended at 15 Ill. Reg. 298, effective December 28, 1990; emergency amendment at 15 Ill. Reg. 592, effective January 1, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 1051, effective January 18, 1991; Section 140.569 withdrawn at 15 Ill. Reg. 1174; amended at 15 Ill. Reg. 6534, effective April 30, 1991; amended at 15 Ill. Reg. 8264, effective May 23, 1991; amended at 15 Ill. Reg. 8972, effective June 17, 1991; amended at 15 Ill. Reg. 10114, effective June 21, 1991; amended at 15 Ill. Reg. 10468, effective July 1, 1991; amended at 15 Ill. Reg. 11176, effective August 1, 1991; emergency amendment at 15 Ill. Reg. 11515, effective July 25, 1991, for a maximum of 150 days; emergency amendment at 15 Ill. Reg. 12919, effective August 15, 1991, for a maximum of 150 days; emergency amendment at 15 Ill. Reg. 16366, effective October 22, 1991, for a maximum of 150 days; ; amended at 15 Ill. Reg. 17318, effective November 18, 1991; amended at 15 Ill. Reg. 17733, effective November 22, 1991.

NOTE: CAPITALIZATION DENOTES STATUTORY LANGUAGE.

## SUBPART B: MEDICAL PROVIDER PARTICIPATION/DRUG MANUAL

## Section 140.71

Drug-Manual-(Revised)-Reimbursement for Medical Services Through the Use of a C-13 Invoice Voucher Advance Payment and Expedited Payments

## a) C-13 Invoice Voucher Advance Payments

- 1) The C-13 invoice voucher, when used as an advanced payment, is an exception to the regular reimbursement process. It may be issued only under extraordinary circumstances to qualified providers of medical assistance services. advance payments will be made only to qualified providers who meet the following requirements:

A) are enrolled with the Department of Public Aid;

## DEPARTMENT OF PUBLIC AID

## NOTICE OF ADOPTED AMENDMENTS

## Section 140.71

Drug-Manual-(Revised)-Reimbursement for C-13 Medical Services Through the Use of a C-13 Invoice Voucher Advance Payment and Expedited Payments (Cont'd)

- B) have experienced an emergency which necessitates C-13 advance payments. Emergency in this instance is defined as a circumstance under which withholding of the advance payment would impose severe and irreparable harm to the clients served. Circumstances which may create such emergencies include, but are not limited to, the following:
  - i) agency system errors (either automated system or clerical) which have precluded payments, or which have caused erroneous payments such that the provider's ability to provide further services to clients is severely impaired; or
  - ii) cash flow problems encountered by a provider or group of providers which are unrelated to Agency technical system problems. These situations include problems which are exclusively those of the providers or problems related to State cash flow which result in delayed payments and extensive financial problems to a provider, adversely impacting on the ability to promptly serve the clients.
- C) serve a significant number of clients under the medical assistance program. Significant in this instance means:
  - i) for long term care facilities, 80 percent or more of their residents must be eligible for public assistance;
  - ii) for long term care facilities enrolled in the Exceptional Care Program, with four (4) or more residents receiving exceptional care.



## DEPARTMENT OF PUBLIC AID

## NOTICE OF ADOPTED AMENDMENTS

Section 140.71

Drug-Manual-(Revised)-Reimbursement for Medical Services Through the Use of a C-13 Invoice Voucher Advance Payment and Expedited Payments (Cont'd)

- iii) for hospitals, they must qualify as a disproportionate share hospital;
  - iv) for practitioners and other medical providers, 50 percent or more of their patient revenue must be generated through Medicaid reimbursement;
  - v) for sole source pharmacies in a community which are not within a 25-mile radius of another pharmacy, the provisions of this Section may be waived;
  - vi) for government-owned facilities, Section C may be waived if the cash flow criteria under (a)(1)(B)(ii) is met; and
  - vii) for providers who have filed for Chapter 11 bankruptcy, Section C may be waived if the cash flow criteria under (a)(1)(B)(ii) is met;
- D) sign an agreement with the Department which specifies the terms of advance payment and subsequent repayment. The agreement will contain the following provisions:
- i) specific reason(s) for advanced payments;
  - ii) specific amount agreed to be advanced;
  - iii) specific date to begin recoupment; and
  - iv) method of recoupment (percentage of payable amount of each Medicaid Management Information System voucher, specific amount per month, a warrant intercept, or a combination of the three recovery methods).

## DEPARTMENT OF PUBLIC AID

## NOTICE OF ADOPTED AMENDMENTS

Section 140.71

Drug-Manual-(Revised)-Reimbursement for Medical Services Through the Use of a C-13 Invoice Voucher Advance Payment and Expedited Payments (Cont'd)

- 2) Determination of amount of payment to be issued shall be based on anticipated future payments as determined by the Department.
- 3) Approval process
  - A) In order to obtain C-13 advance payments, providers must submit their request in writing (telex requests are acceptable) to the appropriate Bureau Chief within the Division of Medical Programs. The request must include:
    - i) an explanation of the circumstances creating the need for the advance payments;
    - ii) supportive documentation to substantiate the emergency nature of the request and risk of irreparable harm to the clients; and
    - iii) specification of the amount of the advance required.
  - B) An agreement will be issued to the provider for all approved requests. The agreement must be signed by the administrator, owner, chief executive officer or other authorized representative and be received by the Department prior to release of the warrant.
  - C) C-13 advance payments shall be authorized for the provider following approval by the Medicaid Administrator or designee. Once all requirements of (a)(3) are met, the Administrator will authorize payment within 7 days.
- 4) Recoupment
  - A) Health care entities other than individual practitioners shall be required to sign an agreement stating that, should the entity be



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Section 140.71

Drug-Manual-(Revised)-Reimbursement for Medical Services Through the Use of a C-13 Invoice Voucher Advance Payment and Expedited Payments (Cont'd)

sold, the new owners will be made aware of the liability and will assume responsibility for repaying the debt to the Department according to the original agreement.

- B) All providers shall sign an agreement specifying the terms of recoupment. An agreed percentage of the total payment to the provider for services rendered shall be deducted from future payments until the debt is repaid. For providers who are properly certified, licensed or otherwise qualified under appropriate State and Federal requirements, the recoupment period shall not exceed six (6) months from the month in which payment is authorized. For those providers enrolled but not in good standing (e.g., decertification termination hearing or other adverse action is pending), recoupment will be made from the next available payments owed the provider.

- C) In the event that the provider fails to comply with the recoupment terms of the agreement, the remaining balance of any advance payment shall be immediately recouped from claims being processed by the Department. If such claims are insufficient for complete recovery, the remaining balance will become immediately due and payable by check to the Illinois Department of Public Aid. Failure by the provider to remit such check will result in the Agency pursuing other collection methods.

## 5) Prior Agreements

The terms of any agreement signed between the provider and the Department prior to the adoption of this rule will remain in effect, notwithstanding the provisions of this rule.

## b) Expedited Claims Payments

## DEPARTMENT OF PUBLIC AID

## NOTICE OF ADOPTED AMENDMENTS

Section 140.71

Drug-Manual-(Revised)-Reimbursement for Medical Services Through the Use of a C-13 Invoice Voucher Advance Payment and Expedited Payments (Cont'd)

- 1) Expedited claims payments are issued through the regular MMIS payment process and represent an acceleration of the regular payment schedule. They may be issued only under extraordinary circumstances to qualified providers of medical assistance services. Reimbursement through the expedited process will be made only to qualified providers who meet the following requirements:

- A) are enrolled with the Department of Public Aid;
- B) have experienced an emergency which necessitate expedited payments. Emergency in this instance is defined as a circumstance under which withholding of the expedited payment would impose severe and irreparable harm to the clients served. Circumstances which may create such emergencies include, but are not limited to, the following:
- i) agency system errors (either automated system or clerical) which have precluded payments, or which have caused erroneous payments such that the provider's ability to provide further services to the clients is severely impaired;
  - ii) cash flow problems encountered by a provider or group of providers which are unrelated to Agency technical system problems. These situations include problems which are exclusively those of the providers (i.e., provider billing system problems) or problems related to State cash flow which result in delayed payments and extensive financial problems to a provider adversely impacting on the ability to serve the clients.



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## NOTICE OF ADOPTED AMENDMENTS

## Section 140.71

Drug Manual-(Revised)-Reimbursement for Medical Services Through the Use of a C-13 Invoice Voucher Advance Payment and Expedited Payments (Cont'd)

- C) serve a significant number of clients under the Medical Assistance Program. Significant in this instance means:
- i) for long term care facilities, 80 percent or more of their residents must be eligible for public assistance;
  - ii) for hospitals, they must qualify as a disproportionate share hospital;
  - iii) for practitioners and other medical providers, 50 percent or more of their patient revenue be generated through Medicaid reimbursement;
  - iv) for sole source pharmacies in a community which are not within a 25-mile radius of another pharmacy, the provisions of this Section may be waived;
  - v) for government-owned facilities, Section C may be waived if the cash flow criteria under (a)(1)(B)(ii) is met; and
  - vi) for providers who have filed for Chapter 11 bankruptcy, Section C may be waived if the cash flow criteria under (a)(1)(B)(ii) is met.
- 2) Reimbursement will be based upon the amount of claims determined payable and be made for a period specified by the Department.
- 3) Approval process
- A) In order to qualify for expedited payments, providers must submit their request in writing (telex requests are acceptable) to the appropriate Bureau Chief within the Division of Medical Programs. The request must include:

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## Section 140.71

Drug Manual-(Revised)-Reimbursement for Medical Services Through the Use of a C-13 Invoice Voucher Advance Payment and Expedited Payments (Cont'd)

- i) an explanation of the need for the expedited payments; and
  - ii) supportive documentation to substantiate the emergency nature of the request.
- B) Expedited payments shall be authorized for the provider following approval by the Medicaid Administrator or designee.
- C) The Department will periodically review the need for any continued expedited payments.
- 4) Prior Agreements
- The terms of any agreement signed between the provider and the Department prior to the adoption of this rule will remain in effect, notwithstanding the provisions of this rule.

(Source: Amended at 15 Ill. Reg. 17733, effective November 22, 1991)

## SUBPART E: GROUP CARE

## Section 140.518 Facility Management of Funds

A facility shall manage a ~~recipient's~~ resident's personal funds only upon the written authorization request ~~of the recipient or the correspondent~~ from, in order of priority, the resident, the resident's guardian, the resident's representative, or the resident's immediate family member. Such authorization shall be attested to by a witness who has no pecuniary interest in the facility or its operations and who is not connected in any way to facility personnel or the administrator in any manner. If ~~it~~ the facility manages such personal funds, it shall:

- a) Establish a separate, written record of each ~~recipient's~~ resident's account;



## DEPARTMENT OF PUBLIC AID

## NOTICE OF ADOPTED AMENDMENTS

## Section 140.518 Facility Management of Funds (Cont'd)

- b) Provide a written record of the account at least quarterly to each recipient-resident or authorized representative included in the account;
- c) Retain all records of personal allowance funds for three (3) years for residents currently residing in the facility and for residents who have died or been discharged from the facility;
- d) Report changes in circumstances to the local office;
- e) Notify local office of any lump sum payment received; and
- f) Establish a separate and identifiable bank account for recipients. Accrued interest shall be credited to each individual's account and shall not be commingled with funds of the facility or other patients. Keep resident funds in an account or accounts which are separate from any facility operating funds or the funds of any person other than another resident. The facility shall establish and maintain a system that assures a full and complete and separate accounting of each resident's account balance. For resident funds that are commingled with the funds of other residents, all interest earned on the resident's funds shall be pro-rated and properly credited to each resident's account balance. The system shall contain documents identifying all transactions made by the facility on behalf of the resident. All deposits and withdrawals are to be shown by date and amount and identifiable receipts for all purchases must be retained; and
- g) Notify each resident who receives Medicaid benefits when the amount in the resident's account reaches \$200.00 less than the SSI resource limit for one person. The facility must notify the resident that the amount in the account, in addition to the value of the resident's other nonexempt resources, exceeds the one person SSI resource limit of \$2,000.00.

(Source: Amended at 15 Ill. Reg. 17733, effective November 22, 1991)

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## NOTICE OF ADOPTED AMENDMENTS

## Section 140.569 Clients With Exceptional Care Needs

- a) Exceptional Care Program
- 1) Pursuant to Section 5-5A of the Illinois Public Aid Code (Ill. Rev. Stat. 1989, ch. 23, par. 5-5A), the Department may make payments to nursing facilities which substantially meet licensure and certification requirements as may be prescribed by the Department of Public Health. For purposes of this Section, substantial compliance shall mean: compliance with eligibility standards required of providers under the Department's QWIP program, Section 140-525(b).
- A) facility does not have Type A violation(s);
- B) facility is currently enrolled in the Medical Assistance Program;
- C) facility is licensed by the Department of Public Health;
- D) facility does not have a conditional license;
- E) facility must provide reasonable access to Medicaid patients. Access will be considered reasonable when:
- i) Medicaid recipients constitute at least 25% of the facility's average daily census; or
- ii) the proportion of Medicaid recipients in the census has increased at least two percentage points over the previous year; or
- iii) the facility can demonstrate that it admits patients without regard to income or Medicaid eligibility or to some other criteria which in essence prioritize admissions on the basis of financial resources. The basis for determining priority of admission must be expressed in policy. Records documenting consistent application of the policy must be maintained.



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## NOTICE OF ADOPTED AMENDMENTS

## Section 140.569 Clients With Exceptional Care Needs (Cont'd)

F) facility meets at least 92% of patient needs based on the last IOC assessment conducted.

2) The Department may, but is not required to, enter into contracts with facilities offering exceptional medical services, referred to herein as Providers.

3) Exceptional medical care is defined as the level of medical care required by persons who are medically stable and ready for discharge from a hospital but who require a multi-disciplinary level of care for physician, nurse and ancillary specialist services with exceptional costs related to extraordinary equipment and/or supplies that have been determined to be a medical necessity. This includes but is not limited to persons with acquired immune deficiency syndrome (AIDS) or related condition, head-injured persons, and ventilator dependent persons. Consideration may be given to those residents currently residing in a facility who require a multi-disciplinary level of care and meet criteria as stated in subsection (j)(2).

4) The Department shall negotiate with nursing home providers and enter into a contract with providers. The rate of payment will be reasonable and adequate to meet the costs incurred by the facilities providing exceptional care. Providers may negotiate separate facility wide rates for separate types of care. In determining the rate of payment to a facility, the Department shall take into account cost information submitted by the facility.

## b) Exceptional Care Contract Requirements

The Department may enter into a contract for exceptional care services only if the Provider agrees to the following conditions:

1) The Provider will maintain separate records regarding costs related to the care of the exceptional care residents, reporting them in the ancillary section of the Department Long Term Care Facility Cost Reports.

## DEPARTMENT OF PUBLIC AID

## NOTICE OF ADOPTED AMENDMENTS

## Section 140.569 Clients With Exceptional Care Needs (Cont'd)

2) The facility must demonstrate the capacity and capability to provide exceptional care as documented by Department of Public Health and Department of Public Aid records.

3) The Provider must maintain and provide documentation demonstrating:

- A) Adherence to staffing requirements as set out in subsection (c);
- B) Adherence to staff training requirements as set out in subsection (d);
- C) Validity of written agreements as required in subsection (e);
- D) Presence of emergency policy and procedures as set out in subsection (f);
- E) Medical condition of the resident; and
- F) Care, treatments and services provided to the resident.

4) The Provider must have and maintain physical plant adaptations to accommodate the necessary equipment.

5) The Provider must have and maintain an emergency electrical backup system.

## c) Exceptional Care Staffing Requirements

Staffing requirements for facilities providing exceptional care include:

- 1) A minimum of one RN on duty on the day shift, seven days per week (as required by the Department of Public Health and set out in 77 Ill. Adm. Code 300.1240 or 250.910(e) and (f)(1) as appropriate). Additional RN staff may be determined necessary by the Department of Public Aid, based on the Department's review of the individual exceptional care clients' needs and/or the exceptional care needs relative to the category of services being contracted for.



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## Section 140.569 Clients With Exceptional Care Needs (Cont'd)

## Section 140.569 Clients With Exceptional Care Needs (Cont'd)

- 2) A minimum of the required number of LPN staff (as required by the Department of Public Health and set out in 77 Ill. Adm. Code 300.1230 and 300.1240 or 250.910(e) and (f)(1) as appropriate), on duty, with an RN on call, if not on duty on the evening and night shifts, seven days per week; and
- 3) A certified respiratory therapy technician or registered respiratory therapist, on staff or on contract with the facility, for those facilities serving ventilator dependent residents or residents requiring respiratory therapy services.

presentation and signature and position description of all participants.

## e) Exceptional Care Agreement Requirements

The Provider must have a valid written agreement with:

- 1) A medical equipment and supply provider which must include a service contract for ventilator equipment when accepting ventilator dependent residents;
- 2) A local emergency transportation provider;
- 3) A local hospital capable of providing the necessary care for equipment dependent residents, when appropriate; and
- 4) A certified respiratory therapy technician or registered respiratory therapist, (unless a respiratory therapist is on staff within the facility) when accepting ventilator dependent residents or residents requiring respiratory therapy services.

- d) Exceptional Care Staff Training Requirements for Facilities Providing Ventilator Dependent Care

Training requirements for facilities providing exceptional care for ventilator dependent residents include:

- 1) At least one of the full-time professional nursing staff members has successfully completed a course in the care of ventilator dependent individuals and the use of ventilators, conducted and documented by a certified respiratory therapy technician or registered respiratory therapist (as certified/registered by the Department of Professional Regulation) or a qualified registered nurse who has at least one year experience in the care of ventilator dependent persons, and
- 2) All staff caring for ventilator dependent residents must have documented inservice training in ventilator care prior to providing such care. Inservice training must be conducted at least annually by a certified respiratory therapy technician or registered respiratory therapist (as certified/registered by the Department of Professional Regulation) or a qualified registered nurse who has at least one year experience in the care of ventilator dependent persons. Inservice training documentation shall include name and qualification of the inservice director, duration of presentation, content of

## f) Exceptional Care Emergency Policy and Procedures Requirements

The Provider must have specific written policies and procedures addressing emergency needs for residents requiring exceptional care.

## g) Accessibility to Records

The Provider must make accessible to IDPA and/or IDPH all facility, resident and other records necessary to determine that the needs of the resident are being met and to determine the appropriateness of exceptional care services.

## h) Contract Negotiations

- 1) A Provider shall notify the Department of its interest in participating in the Exceptional Care Program in writing by certified or registered mail, return receipt requested.



## DEPARTMENT OF PUBLIC AID

## NOTICE OF ADOPTED AMENDMENTS

## Section 140.569 Clients With Exceptional Care Needs (Cont'd)

- 2) Negotiations between the Provider and the Department shall be conducted solely on an individual facility basis. Multiple facility negotiations shall not be permitted.
- 3) Prior to the beginning of negotiations, the Provider shall submit to the Department a completed Exceptional Care Data Sheet. The Department shall furnish such Data Sheet. The Exceptional Care Data Sheet shall require:
  - A) Identification of the types, quantities and costs of services which the Provider intends to offer;
  - B) A staffing plan for the area of the facility serving exceptional care residents; and
  - C) Documentation of the qualifications of staff serving exceptional care residents.
- 4) The Department shall provide each Provider which has notified the Department of its interest in participation in the Exceptional Care Program with a copy of the proposed contract provisions by mailing such proposed contract provisions to the provider. Each contract shall be for a period of one year.

## i) Renewal/Nonrenewal of Exceptional Care Contracts

- 1) Providers desirous of renewing exceptional care contracts must contact the Department in writing sixty (60) days prior to the expiration date of the contract to express their intent to renew the contract.
- 2) Upon receipt of the Providers' intent to renew their contract, the Department shall open negotiations as set forth in subsection (h).
- 3) Providers desiring to terminate or not renew their contract shall notify the Department sixty (60) days prior to the date of termination or contract expiration. Payment for new admissions at an exceptional care rate will not be made to those Providers who do not have a valid

## DEPARTMENT OF PUBLIC AID

## NOTICE OF ADOPTED AMENDMENTS

## Section 140.569 Clients With Exceptional Care Needs (Cont'd)

- exceptional care contract. Payment for exceptional care residents in facilities which terminate or do not renew their contracts will remain at the previous exceptional care rate until such time as the resident no longer requires exceptional care as determined by the Department's utilization review (see Contract Monitoring 2 and 3) or the resident is discharged.
  - 4) It is the responsibility of a nursing home Provider to effect appropriate discharge planning for exceptional care residents when terminating or not renewing its contract. The Department agrees to assist Providers with any information available regarding appropriate placement settings.
- j) Determining eligibility for exceptional care payment.
- 1) All persons must be approved by an authorized Department representative prior to placement in a facility to be eligible for exceptional care payment. Excluding those residents currently enrolled in the negotiated rate program.
  - 2) In order for a person to be approved for exceptional care placement the cost of the person's care must be at least 50% more than the proposed admitting facility's per diem rate (capital, support and nursing components). Eligible items which may be used in computing the cost of the person's care include nursing services costs, therapy services costs, and medical equipment and supply costs. Computations for determining cost of care shall be based upon maximum allowable costs for service equipment and supplies and HSA wage rates for the proposed admitting facility as determined by the Department.
- k) Provision for Patients for which a Long Term Care Placement is Unavailable
- In the event placement for a patient in need of exceptional care services or skilled nursing services cannot be located, the Department shall approve



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## NOTICE OF ADOPTED AMENDMENTS

## Section 140.569 Clients With Exceptional Care Needs (Cont'd)

payment to the hospital in which the patient is receiving services. The rate of payment to the hospital shall not exceed the average statewide long term care facility per diem rate for the level of services provided.

- 1) Contract Monitoring
  - 1) All utilization controls applied to exceptional care by the Department in accordance with the approved plan for medical services under Section 5-2 of the Illinois Public Aid Code (Ill. Rev. Stat. 1989, ch. 23, par. 5-2), and Title XIX of the Federal Social Security Act (42 U.S.C. 1396a) shall continue to apply to exceptional care provided under the Exceptional Care Program (Ill. Rev. Stat. 1989, ch. 111 1/2 par. 6503-5; Section 3-5 of the The Health Finance Reform Act).
  - 2) The Department shall provide for a program of delegated utilization review and quality assurance. The Department may contract with Medical Peer Review organizations to provide utilization review and quality assurance under any contract negotiated for exceptional care.
  - 3) The Department shall review exceptional care residents' utilization of services every ninety (90) days. This review may be waived by Department Exceptional Care staff if at least 3 previous assessments show that a resident's condition has stabilized. Department Exceptional Care staff will maintain contact with the long term care facility regarding the resident's condition during the time period the assessment is waived.
  - 4) In the event that it is determined that the resident is no longer in need of exceptional care services, the Department shall reduce the rate of payment to the Provider to the facility's standard Medicaid per diem rate.

(Source: Amended at 15 Ill. Reg. 17733, effective November 22, 1991)

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of Part:  
Ambulatory Surgical Treatment Center Licensing Requirements
- 2) Code Citation:  
77 Ill. Adm. Code 205
- 3) Section Numbers:  
205.810 Amendments  
205.820 Repeal; New Section  
205.830 Repeal; New Section  
205.840 Repeal; New Section  
205.850 Repeal; New Section  
205.860 Repeal; New Section
- 4) Statutory Authority:  
Ambulatory Surgical Treatment Center Licensing Act  
Ill. Rev. Stat. 1989 and 1990 Supp., ch. 111 1/2, par. 157-8.1 et seq.
- 5) Effective Date of Amendments:  
December 1, 1991
- 6) Does this Rulemaking contain an Automatic Repeal Date? No.
- 7) Do this Rulemaking contain Incorporation by Reference? No.
- 8) Date Filed in Agency's Principal Office:  
December 1, 1991
- 9) Date Notice of Proposal Published in the Illinois Register:  
April 5, 1991 (15 Illinois Register 4932)
- 10) Has the Joint Committee on Administrative Rules issued a Statement of Objections to this Rulemaking? No.



## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF ADOPTED AMENDMENTS

11) Differences Between Proposal and Final Version:

One substantive change was made in the text of the amendments in response to public comments received during the first notice period. The first sentence of Section 205.810(a) was changed to read: "The Department shall investigate all complaints received regarding any ambulatory surgical treatment center or any physician practicing in an ambulatory surgical treatment center (except as provided in subsection (d) of this Section)."

In response to questions from the Joint Committee on Administrative Rules, the Department made the following changes in the text of the amendments:

1. A reference to the 1990 Supplement of the Illinois Revised Statutes has been added to the authority note.
2. In Section 205.810(d) the phrase "which, if true," has been replaced with the word "that" to simplify the wording of the sentence.
3. In the first sentence in Section 205.810(e) the word "promptly" has been deleted and the phrase "as quickly as possible based on available personnel and resources" has been added.
4. In the second sentence in Section 205.810(e) the word "which" has been replaced with the word "that" for grammatical style.
5. In Section 205.840(c) the phrase "pursuant to Section 10f of the Act" has been added.
6. In Section 205.860(b)(2) the phrase "Sections 10 through 18" has been added to make the reference to the Illinois Administrative Procedure Act more specific.

Several additional grammatical, punctuation and technical corrections were also made in the text of the proposed amendments in response to suggestions from the Administrative Code Division. No additional substantive changes were made in the text of the amendments.

12) Have all changes agreed upon by the agency and the Joint Committee been made as indicated in the agreement letter issued by the Joint Committee?

The Department has made all the changes to which it agreed with the Joint Committee on Administrative Rules.

13) Will these Proposed Amendments Replace an Emergency Rule Currently in Effect? No.

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF ADOPTED AMENDMENTS

14) Are there any other Amendments Pending on this Part? No.15) Summary and Purpose of Rules:

The Department of Public Health is adopting amendments to the rules governing the licensure of ambulatory surgical treatment centers in order to implement recent statutory changes. These statutory changes are included in Section 1.1 of Public Act 86-1292 (House Bill 3694), which took effect on September 6, 1990. The extensive changes in the Ambulatory Surgical Treatment Center Licensing Act include the addition of provisions concerning notices of violation, plans of correction, fines and penalties, payment of fines, adverse licensure actions, and administrative hearing procedures.

The amendments consolidate the current provisions concerning the investigation of complaints into Section 205.810 and add provisions to implement the statutory changes in Section 205.820 (Notice of Violation), 205.830 (Plan of Correction), 205.840 (Adverse Licensure Action), 205.850 (Fines and Penalties), and 205.860 (Hearings). Because the new statutory provisions are detailed and precise, these regulatory amendments do not include any extensive interpretations of the provisions. Any economic effect of these amendments is expected to be minimal.

An initial version of these amendments was reviewed and approved by the Ambulatory Surgical Treatment Center Licensing Board at its meeting on December 5, 1990. Revised drafts of these amendments were placed on the agenda of subsequent meetings of the Board which were scheduled for March 6 and June 5, 1991. The Board failed to achieve a quorum for these scheduled meetings. On August 19, 1991, the final version of these amendments was transmitted to each Board member by mail and this final version of these amendments was placed on the agenda of the Board meeting scheduled for September 4, 1991. The Board failed to achieve a quorum for that meeting. The 90-day period for action by the Board expired on November 17, 1991. Under Section 14 of the Act, the amendments are "considered approved and the Department may proceed with their promulgation."

16) Information and Questions Regarding these Adopted Amendments Shall Be Directed To:

Gail DeVito  
Division of Governmental Affairs  
Illinois Department of Public Health  
535 West Jefferson, Fifth Floor  
Springfield, Illinois 62761  
Telephone: (217) 782-6187

The full text of the Adopted Amendments begins on the next page:



DEPARTMENT OF PUBLIC HEALTH  
NOTICE OF ADOPTED AMENDMENTSTITLE 77: PUBLIC HEALTH  
CHAPTER I: DEPARTMENT OF PUBLIC HEALTH  
SUBCHAPTER b: HOSPITAL AND AMBULATORY CARE FACILITIESPART 205  
AMBULATORY SURGICAL TREATMENT CENTER LICENSING REQUIREMENTS

## SUBPART A: GENERAL

Section	Definitions
205.110	Incorporated and Referenced Materials
205.115	Conditions of Licensure
205.118	Application for Initial Licensure
205.120	Application for License Renewal
205.125	Approval of Surgical Procedures
205.130	

## SUBPART B: OWNERSHIP AND MANAGEMENT

Section	Ownership, Control and Management
205.210	Organizational Plan
205.220	Standards of Professional Work
205.230	Policies and Procedures Manual
205.240	

## SUBPART C: PERSONNEL

Section	Personnel Policies
205.310	Presence of Qualified Physician
205.320	Nursing Personnel
205.330	Basic Life Support
205.340	Laboratory Services
205.350	

## SUBPART D: EQUIPMENT, SUPPLIES, AND FACILITY MAINTENANCE

Section	Equipment
205.410	Sanitary Facility
205.420	

DEPARTMENT OF PUBLIC HEALTH  
NOTICE OF ADOPTED AMENDMENTS

## SUBPART E: GENERAL PATIENT CARE

Section	Emergency Care
205.510	Preoperative Care
205.520	Operative Care
205.530	Postoperative Care
205.540	

## SUBPART F: RECORDS AND REPORTS

Section	Clinical Records
205.610	Statistical Data
205.620	

## SUBPART G: LIMITED PROCEDURE SPECIALTY CENTERS

Section	Pregnancy Termination Specialty Centers
205.710	Personnel (Repealed)
205.720	General Patient Care (Repealed)
205.730	Preoperative Requirements (Repealed)
205.740	Postoperative Requirements (Repealed)
205.750	Reports (Repealed)
205.760	

SUBPART H: LICENSURE PROCEDURES FOR INVESTIGATION OF COMPLAINTS

Section	Complaints
205.810	Notice of Violation Acknowledgement of Complaint
205.820	Plan of Correction Investigation
205.830	Adverse Licensure Action Prompt Investigation
205.840	Fines and Penalties Methods
205.850	Hearings Notification of Results
205.860	

## SUBPART I: BUILDING DESIGN, CONSTRUCTION STANDARDS, AND PHYSICAL REQUIREMENTS

Section	Plant and Service Requirements
205.1310	General Considerations
205.1320	New Construction, Additions and Major Alterations
205.1330	Minor Alterations and Remodeling Changes
205.1340	



DEPARTMENT OF PUBLIC HEALTH

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205.1350 Administration Department and Public Areas  
205.1360 Clinical Facilities  
205.1370 Support Service Areas  
205.1380 Diagnostic Facilities  
205.1390 Other Building Services  
205.1400 Details and Finishes  
205.1410 Construction, Including Fire Resistive Requirements

SUBPART J: MECHANICAL

Section  
205.1510 General  
205.1520 Thermal and Acoustical Insulation  
205.1530 Steam and Hot Water Systems  
205.1540 Air Conditioning Heating and Ventilating Systems

SUBPART K: PLUMBING AND OTHER PIPING SYSTEMS

Section  
205.1610 General  
205.1620 Plumbing Fixtures  
205.1630 Water System  
205.1640 Drainage Systems  
205.1650 Identification

SUBPART L: ELECTRICAL

Section  
205.1710 General  
205.1720 Switchboards and Power Panels  
205.1730 Panelboards  
205.1740 Lighting  
205.1750 Receptacles (Convenience Outlets)  
205.1760 Grounding  
205.1770 Equipment Installation in Special Areas  
205.1780 Emergency Electric Service  
205.1790 Fire Alarm System

205.TABLE A  
General Pressure Relationships and Ventilation Rates of Ambulatory Surgery Area

AUTHORITY: Implementing and authorized by the Ambulatory Surgical Treatment Center

Act (Ill. Rev. Stat. 1989 and 1990 Supp. 1987, ch. 111 1/2, par. 157-8.1 et seq.)

SOURCE: Amended July 18, 1974; emergency amendment at 3 Ill. Reg. 10, p. 43, effective February 23, 1979, for a maximum of 150 days; amended at 3 Ill. Reg. 30, p. 371, effective July 23, 1979; amended at 5 Ill. Reg. 12756, effective November 4, 1981; amended at 6 Ill. Reg. 6220, 6225, and 6226, effective May 17, 1982; amended at 6 Ill. Reg. 10974, effective August 30, 1982; amended at 6 Ill. Reg. 13337, effective October 20, 1982; amended at 7 Ill. Reg. 7640, effective June 14, 1983; codified at 8 Ill. Reg. 9367; amended at 9 Ill. Reg. 12014, effective July 23, 1985; amended at 10 Ill. Reg. 8806, effective June 1, 1986; amended at 10 Ill. Reg. 21906, effective January 15, 1987; amended at 11 Ill. Reg. 14786, effective October 1, 1987; amended at 12 Ill. Reg. 3743, effective February 15, 1988; amended at 12 Ill. Reg. 15573, effective October 1, 1988; amended at 13 Ill. Reg. 16025, effective November 1, 1989; emergency amendment at 14 Ill. Reg. 5596, effective March 26, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 13802, effective August 15, 1990; amended at 15 Ill. Reg. 17770, effective December 1, 1991.

NOTE: Capitalization denotes statutory language.

SUBPART H: LICENSURE PROCEDURES FOR INVESTIGATION OF COMPLAINTS

Section 205.810 Complaints

a) The Department shall investigate all complaints received regarding any ambulatory surgical treatment center or any physician practicing in an ambulatory surgical treatment center (except as provided in subsection (d) of this Section). All complaints against ambulatory surgical treatment centers shall be reported to the Illinois Department of Public Health. Complaints should preferably be in writing and contain sufficient facts to facilitate the investigation. Complaints by telephone will be accepted.

b) Each ambulatory surgical treatment center shall post a notice provided by the Department which reads: "If you have concerns about the care being provided in this licensed ambulatory surgical treatment center you may file a complaint with the Department of Public Health by writing to the following address: [address], or by calling [telephone number] during regular business hours. You may also wish to discuss your concerns with the personnel available at this facility. This notice is posted as required by regulation of the Department of Public Health." The



## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF ADOPTED AMENDMENTS

## Section 205.810(b) (continued)

notice shall be posted in each center in a location visible to staff, patients, visitors, and the general public.

- c) Upon receipt of each complaint the Department will, within seven days, acknowledge by letter receipt of the complaint.
- d) If the complaint contains allegations that would constitute a prima facie violation of the Act or this Part, an investigation will be conducted. Whenever the complaint concerns matters outside the jurisdiction of the Department or may concern matters which are within the jurisdiction of another agency, the complaint also will be referred to the appropriate agency whenever so doing does not violate patient confidentiality.
- e) The Department will investigate each complaint as quickly as possible based on available personnel and resources. Complaints that constitute a threat to the public health will be investigated within ten days of receipt of the complaint.
- f) The Department will utilize the most efficient and effective methods to investigate each complaint. This may include inspections pursuant to Section 9 of the Act and the issuance of subpoenas and subpoenas duce tecum pursuant to Section 10g(c) of the Act, when appropriate.
- g) Upon the conclusion of the investigation the complainant will be notified of the results of the investigation and any action taken by the Department.

(Source: Amended at 15 Ill. Reg. 17770, effective December 1, 1991)

## Section 205.820 Notice of Violation Acknowledgement of Complaint

Upon receipt of each complaint the Department will, within seven (7) days, acknowledge by letter receipt of the complaint.

- a) WHEN THE DEPARTMENT DETERMINES through inspection, review of records, or other means of investigation THAT A FACILITY IS IN VIOLATION OF THE ACT OR THIS PART, A NOTICE OF VIOLATION SHALL BE SERVED UPON THE LICENSEE. The notice shall be served in the manner provided in Section 10g(a) of the Act. (Section 10b of the Act)

- b) EACH NOTICE OF VIOLATION SHALL BE IN WRITING AND SHALL INCLUDE:

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF ADOPTED AMENDMENTS

## Section 205.820(b) (continued)

- 1) A description of the NATURE OF THE VIOLATION.
  - 2) A citation of the STATUTORY PROVISION OR RULE ALLEGED TO HAVE BEEN VIOLATED.
  - 3) A description of ANY ACTION THE DEPARTMENT MAY TAKE UNDER THE ACT, including the ASSESSMENT OF A PENALTY UNDER SECTION 10d of the Act and Section 205.850 of this Part, or ADVERSE LICENSURE ACTION UNDER SECTION 10f of the Act and Section 205.840 of this Part.
  - 4) A statement that the facility must submit a PLAN OF CORRECTION UNDER SECTION 10c of the Act and Section 205.830 of this Part.
  - 5) A description of the manner in which the facility may contest the notice of violation and the RIGHT TO A HEARING to contest the violation UNDER SECTION 10g of the Act and Section 205.860 of this Part. (Section 10b of the Act)
- (Source: Section repealed, new Section adopted at 15 Ill. Reg. 17770, effective December 1, 1991)

## Section 205.830 Plan of Correction Investigation

If the complaint contains allegations which, if true, would constitute a prima facie violation of the Ambulatory Surgical Treatment Center Act or this Part, an investigation will be conducted. Whenever the complaint concerns matters outside the jurisdiction of the Department of Public Health, or may concern matters which are within the jurisdiction of another agency, the complaint also will be referred to the appropriate agency whenever so doing does not violate patient confidentiality.

- a) EACH FACILITY SERVED WITH A NOTICE OF VIOLATION UNDER SECTION 10b OF THE ACT and Section 205.820 of this Part SHALL SUBMIT TO THE DEPARTMENT A WRITTEN PLAN OF CORRECTION WITHIN TEN DAYS OF RECEIPT OF THE NOTICE OF VIOLATION. SUCH PLAN OF CORRECTION SHALL INCLUDE:

- 1) A statement of the specific actions the FACILITY INTENDS to take to CORRECT EACH VIOLATION.



DEPARTMENT OF PUBLIC HEALTH  
NOTICE OF ADOPTED AMENDMENTS

## Section 205.830(a) (continued)

- 2) The specific DATE BY WHICH EACH VIOLATION WILL BE CORRECTED.  
(Section 10c of the Act)

b) The facility may submit any additional information in response to the notice of violation which it believes will clarify the condition or alleged violation. The Department will consider the information in reviewing the facility's response and the plan of correction.

c) Each plan of correction IS SUBJECT TO THE APPROVAL OF THE DEPARTMENT. The Department will review each plan of correction to determine whether the corrective action is specific, whether the corrective action can reasonably be expected to actually correct the violations and whether the completion date is reasonable. (Section 10c of the Act)

d) IF THE DEPARTMENT REJECTS A PLAN OF CORRECTION, IT SHALL NOTIFY THE FACILITY OF THE REJECTION AND THE REASON FOR THE REJECTION. THE FACILITY SHALL HAVE TEN DAYS AFTER RECEIPT OF A NOTICE OF REJECTION TO SUBMIT A MODIFIED PLAN OF CORRECTION. IF A MODIFIED PLAN IS NOT TIMELY SUBMITTED, OR IF A MODIFIED PLAN IS REJECTED, the Department shall impose a plan of correction and the FACILITY SHALL FOLLOW THE IMPOSED PLAN OF CORRECTION. (Section 10c of the Act)

e) The facility may contest the rejection or imposition of a plan of correction and has the RIGHT TO A HEARING to contest the action UNDER SECTION 10g of the Act and Section 205.860 of this Part. (Section 10b of the Act)

(Source: Section repealed, new Section adopted at 15 Ill. Reg. 17770, effective December 1, 1991)

Section 205.840 Adverse Licensure Action Prompt Investigation

The Department will utilize the most efficient and effective methods to investigate each complaint. This may include inspections pursuant to Section 9 of the Act and the issuance of subpoenas and subpoenas due to return pursuant to Section 7 of the Act, when appropriate.

a) Adverse licensure actions include the denial of an initial license application, denial of an application for license renewal, revocation of a license, imposition of a penalty or fine, service suspension, and emergency suspension.

DEPARTMENT OF PUBLIC HEALTH  
NOTICE OF ADOPTED AMENDMENTS

## Section 205.840 (continued)

b) Adverse licensure actions will be considered by the Department under the following conditions:

1) SUBSTANTIAL OR CONTINUED FAILURE of the licensee, facility, or applicant TO COMPLY WITH THE ACT OR THIS PART. (Section 10f(a) of the Act)

2) FAILURE of the licensee, facility, or applicant TO DEMONSTRATE THE CAPACITY TO SAFELY PROVIDE ONE OR MORE OF ITS SERVICES TO PATIENTS. (Section 10f(b) of the Act)

3) Violation of any provision of the Act or this Part by conduct which is detrimental to the health, safety, or welfare of a patient or patients.

4) REFUSAL OF THE LICENSEE TO MAKE PAYMENT of a penalty or fine which has been added to the facility's license renewal fee under Section 10e of the Act and Section 205.850(e)(2) of this Part. (Section 10e of the Act)

c) In determining whether to take adverse licensure action, pursuant to Section 10f of the Act, and the severity of the action, including setting the amount of any fine or penalty, the Department will consider the following factors:

1) THE GRAVITY OF THE VIOLATION or violations, including each of the following:

A) THE PROBABILITY THAT DEATH OR SERIOUS PHYSICAL OR MENTAL HARM TO A PATIENT or patients WILL RESULT OR HAS RESULTED.

B) THE SEVERITY OF THE ACTUAL OR POTENTIAL HARM to a patient or patients.

C) THE EXTENT TO WHICH THE PROVISIONS OF THE ACT, other APPLICABLE STATUTES, or this Part WERE VIOLATED.

2) THE REASONABLE DILIGENCE EXERCISED BY THE LICENSEE, facility, or applicant to avoid the violation or violations or to reduce the potential harm to a patient or patients.



## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF ADOPTED AMENDMENTS

## Section 205.840(c) (continued)

- 3) EFFORTS by the licensee, facility, or applicant TO CORRECT the violation or VIOLATIONS.
- 4) ANY PREVIOUS VIOLATIONS COMMITTED BY THE LICENSEE, facility, or applicant.
- 5) ANY FINANCIAL BENEFIT TO THE FACILITY OF COMMITTING OR CONTINUING THE VIOLATION or violations. (Section 10d(b) of the Act)

d) When the Department determines under this Section and Section 10f(a) of the Act to ISSUE AN ORDER OF LICENSE DENIAL, SUSPENSION OR REVOCATION, OR REFUSAL TO RENEW A LICENSE, the Department shall notify the licensee, facility, or applicant. The notice shall be served in the manner provided in Section 10q(a) of the Act and shall specify the effective date of the action. (Section 10f(a) of the Act)

e) When the Department determines under this Section and Section 10f(b) of the Act to ISSUE AN ORDER OF SERVICE SUSPENSION, the Department shall notify the licensee, facility, or applicant. The notice shall be served in the manner provided in Section 10q(a) of the Act and shall specify the effective date of the action. (Section 10f(b) of the Act)

f) When the Department FINDS THAT THE PUBLIC INTEREST, HEALTH, SAFETY, OR WELFARE IMPERATIVELY REQUIRES EMERGENCY ACTION to suspend specific services, or to deny or revoke a license, the Department shall notify the licensee or facility. The notice shall include a statement of the basis of the emergency action and shall be served in the manner provided in Section 10q(a) of the Act. The order shall take effect immediately, provided that the Department PROMPTLY INITIATES PROCEEDINGS FOR LICENSE REVOCATION OR OTHER ACTION. (Section 10f(c) of the Act)

(Source: Section repealed, new Section adopted at 15 Ill. Reg. 17770, effective December 1, 1991)

Section 205.850 Fines and Penalties Methods

The Department will promptly investigate each complain within thirty (30) days of receipt of the complaint. Complaints which constitute a threat to the public health will be investigated within ten (10) days of receipt of the complaint.

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF ADOPTED AMENDMENTS

## Section 205.850 (continued)

a) When the Department determines to impose a penalty or fine under Section 10d of the Act and Section 205.840 of this Part, the DEPARTMENT SHALL ISSUE A NOTICE OF FINE ASSESSMENT. The notice shall be served in the manner provided in Section 10q(a) of the Act. (Section 10d of the Act)

b) Each notice of fine assessment shall include:

- 1) A description of the violation or VIOLATIONS FOR WHICH THE FINE IS ASSESSED. (Section 10d of the Act)
- 2) The amount of the fine as determined under Section 205.840 of this Part, which MAY BE UP TO \$500 PER VIOLATION PER DAY COMMENCING ON THE DATE THE VIOLATION WAS IDENTIFIED AND ENDING ON THE DATE THE VIOLATION IS CORRECTED, OR ACTION IS TAKEN TO SUSPEND, REVOKE OR DENY RENEWAL OF THE LICENSE, WHICHEVER COMES FIRST. (Section 10d of the Act)
- 3) A description of the manner in which the facility may contest the fine assessment and the right to a hearing under Section 10g of the Act and Section 205.860 of this Part.

c) ALL FINES SHALL BE PAID TO THE DEPARTMENT by the licensee within the following time periods:

- 1) If the assessment is not contested by the licensee, no later than TEN DAYS AFTER THE NOTICE OF ASSESSMENT.
- 2) IF THE ASSESSMENT IS CONTESTED UNDER SECTION 10g OF THE ACT, no later than TEN DAYS AFTER THE RECEIPT OF THE DIRECTOR'S FINAL DECISION, UNLESS THE DECISION IS APPEALED AND THE ORDER IS STAYED BY COURT ORDER UNDER SECTION 11 OF THE ACT. (Section 10e of the Act)

d) If payment has not been made by the licensee within the time periods specified in subsection (c) of this Section, the Department shall issue a WRITTEN DEMAND FOR PAYMENT. (Section 10e of the Act)

e) If the licensee does not comply with a WRITTEN DEMAND FOR PAYMENT WITHIN 30 DAYS, THE DIRECTOR SHALL ISSUE AN ORDER TO DO ANY OF THE FOLLOWING:



DEPARTMENT OF PUBLIC HEALTH  
NOTICE OF ADOPTED AMENDMENTS

## Section 205.850(e) (continued)

- 1) CERTIFY TO THE COMPTROLLER THAT THE DELINQUENT FINES ARE DUE AND OWING FROM THE LICENSEE. The certification shall include ANY AMOUNTS DUE AND OWING AS A RESULT OF A CIVIL ACTION PURSUANT TO SECTION 10e(c) OF THE ACT. The Department shall send notice of the certification to the licensee and to any other person known to the Department who may be affected by the certification.
- 2) ADD THE AMOUNT OF THE PENALTY TO THE FACILITY'S LICENSE RENEWAL FEE.
- 3) BRING AN ACTION IN CIRCUIT COURT TO RECOVER THE AMOUNT OF THE PENALTY or fine. (Section 10e of the Act)

(Source: Section repealed, new Section adopted at 15 Ill. Reg. 17770, effective December 1, 1991)

Section 205.860 Hearings Notification of Results

Upon the conclusion of the investigation the complainant will be notified of the results of the investigation and any action taken by the Department:

- a) Applicants and licensees may appeal certain actions of the Department under the Act and this Part. IF A FACILITY DESIRES TO CONTEST ANY DEPARTMENT ACTION, IT SHALL SEND A WRITTEN REQUEST FOR A HEARING TO THE DEPARTMENT WITHIN TEN DAYS OF RECEIPT OF THE NOTICE OF THE CONTESTED ACTION. Following receipt of a request for a hearing, the Department shall conduct a hearing to review the contested action. (Section 10c(c) of the Act)
- b) Hearings conducted pursuant to the Act and this Part shall be conducted in accordance with the following:
  - 1) Sections 10c, 10f, and 10g of the Act.
  - 2) Sections 10 through 18 of the Illinois Administrative Procedure Act (Ill. Rev. Stat. 1989, ch. 127, par. 1010 through 1018).
  - 3) The rules of the Department entitled "Rules of Practice and Procedure in Administrative Hearings" (77 Ill. Adm. Code 100).

DEPARTMENT OF PUBLIC HEALTH  
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## Section 205.860 (continued)

- c) Applicants and licensees have a right to administrative review of actions and decisions of the Department by the courts under the Administrative Review Law (Ill. Rev. Stat. 1989, ch. 110, par. 3-101 et seq.).

(Source: Section repealed, new Section adopted at 15 Ill. Reg. 17770, effective December 1, 1991)



DEPARTMENT OF STATE POLICE  
NOTICE OF EMERGENCY RULES1) Heading of Part: Firearm Transfer Inquiry Program2) Code Citation: 20 Ill. Adm. Code 12353) Section Numbers:

1235.10	New Section
1235.20	New Section
1235.30	New Section
1235.40	New Section
1235.50	New Section
1235.60	New Section
1235.70	New Section
1235.80	New Section
1235.90	New Section
1235.100	New Section
1235.110	New Section
1235.120	New Section
1235.130	New Section

Emergency Action:

New Section
New Section
New Section
New Section
New Section
New Section
New Section
New Section
New Section
New Section
New Section
New Section

4) Statutory Authority: Implementing and authorized by Section 3 and Section 3.1 of The Firearm Owner's Identification Card Act (Ill. Rev. Stat. 1989, ch. 38, pars. 83-1 et seq.), as amended by P.A. 87-299, effective January 1, 1992, and authorized by Section 55a of the Civil Administrative Code of Illinois (Ill. Rev. Stat. 1989, ch. 127, par. 55a).

5) Effective Date of Rules: December 1, 1991.

6) If this emergency rule is to expire before the end of the 150-day period, please specify the date: This rule will not expire before the end of the 150-day period.

7) Date filed in Agency's Principal Office: November 22, 1991.

8) Reason for Emergency: This rule defines the procedures necessary to implement Public Act 87-299. That Act was approved on September 5, 1991, and has an effective date of January 1, 1992. The Illinois State Police had no control over these dates.

Any issue relating to firearms is highly controversial and creates strong public interest. In order to minimize objections to the program, the Illinois State Police carefully considered how to implement the system. In addition, there was extensive consultation with representatives of the affected parties.

This planning and discussion was expeditiously addressed, but it did add time to the process. Although the 117 days between the approval date and the effective date make it technically possible to satisfy the regular

## DEPARTMENT OF STATE POLICE

## NOTICE OF EMERGENCY RULES

notice periods, as a practical matter a rule cannot be properly drafted and formalized in that time. Therefore, in order for the rule to be in place on the effective date, it will need to be filed as an emergency rule. Identical proposed rules also have been filed simultaneously.

In order to ensure this emergency rule is filed, published, and understood prior to the implementation of the Firearm Transfer Inquiry Program, the effective date for the emergency rule is designated as December 1, 1991. The underlying Public Act became law on September 5, 1991, but identifies an effective date of January 1, 1992. Therefore, the program itself will not be operational until January 1, 1992.

9) A Complete Description of the Subjects and Issues Involved: Recent amendments to the Firearm Owner's Identification Card Act require the Department of State Police to provide a "dial-up" telephone arrangement to satisfy requirements relating to the transfer of firearms. The telephone system is to be used by federally-licensed firearm dealers to verify if the transferee would be legally disqualified from acquiring or possessing the firearm. This rulemaking establishes the procedures for utilizing the system.

10) Are there any proposed amendments pending on this Part? No.

11) Statement of Statewide Policy Objectives: This rule has no effect on local governmental units.

12) Information and questions regarding this emergency part shall be directed to:

Mr. James W. Redlich  
Chief Legal Counsel  
Illinois State Police  
201 Armory Building  
P.O. Box 19461  
Springfield, Illinois 62794-9461  
217/782-7658

The full text of the Emergency Rules begins on the next page:



## DEPARTMENT OF STATE POLICE

## NOTICE OF EMERGENCY RULES

TITLE 20: CORRECTIONS, CRIMINAL JUSTICE AND LAW ENFORCEMENT  
CHAPTER II: DEPARTMENT OF STATE POLICEPART 1235  
FIREARM TRANSFER INQUIRY PROGRAM

Section	Purpose
1235.10 EMERGENCY	
1235.20 EMERGENCY	Definitions
1235.30 EMERGENCY	Federal and State Laws and Local Ordinances
1235.40 EMERGENCY	Hours of Operation
1235.50 EMERGENCY	Holidays
1235.60 EMERGENCY	Enrollment
1235.70 EMERGENCY	Inquiry Requirement
1235.80 EMERGENCY	Inquiry Procedure
1235.90 EMERGENCY	Response Procedures
1235.100 EMERGENCY	Denial Notification
1235.110 EMERGENCY	Transfer of Firearms
1235.120 EMERGENCY	Fees
1235.130 EMERGENCY	Failure to Pay Fees

**AUTHORITY:** Implementing and authorized by Section 3 and Section 3.1 of the Firearm Owner's Identification Card Act (Ill. Rev. Stat. 1989, ch. 38, pars. 83-1 et seq.), as amended by P.A. 87-299, effective January 1, 1992, and authorized by Section 55a of the Civil Administrative Code of Illinois (Ill. Rev. Stat. 1989, ch. 127, par. 55a).

**SOURCE:** Emergency rules adopted at 15 Ill. Reg. 17785, effective December 1, 1991, for a maximum of 150 days.

### Section 1235.10 Purpose

The purpose of this Part is to provide requirements and procedures for inquiry into the Firearm Transfer Inquiry Program.

## DEPARTMENT OF STATE POLICE

## NOTICE OF EMERGENCY RULES

Section 1235.20 Definitions  
EMERGENCY

Unless specified otherwise, all terms shall have the meaning set forth in Section 1.1 of the Firearm Owner's Identification Card Act (Ill. Rev. Stat. 1989, ch. 38, par. 83-1.1).

"Dealer" means a federally-licensed firearm dealer under the provisions of 18 U.S.C. 921 et seq.

"Department" means the Illinois Department of State Police.

"Firearm Transfer Inquiry Program" means the functional unit within the Bureau of Identification of the Department responsible for providing federally-licensed firearm dealers in the State of Illinois with a dial-up telephone system to determine the current eligibility of a transferee to acquire firearms.

"Transfer" means selling, assigning, pledging, leasing, loaning, giving away, or otherwise disposing of firearms occurring at a singular point in time.

"Transferee" means the recipient of a transfer.

### Section 1235.30 Federal and State Law and Local Ordinances

All federally-licensed firearm dealers must abide by all federal and state laws and local ordinances. Inquiries made to the Firearm Transfer Inquiry Program do not exempt or otherwise relieve federally-licensed firearm dealers from compliance with any other laws or ordinances.

### Section 1235.40 Hours of Operation

The Firearm Transfer Inquiry Program will receive inquiries from dealers in Illinois from 9:30 a.m. to 9:30 p.m., Monday through Friday, and 9:30 a.m. to 6:30 p.m. on Saturday and Sunday.

### Section 1235.50 Holidays

The Firearm Transfer Inquiry Program will be closed on New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas Day.



DEPARTMENT OF STATE POLICE  
NOTICE OF EMERGENCY RULES

**Section 1235.60 Enrollment**  
EMERGENCY

All dealers must be enrolled in the Firearm Transfer Inquiry Program prior to transferring firearms. Federally-licensed firearm dealers in Illinois may enroll by completing the dealer enrollment form provided by the Department. These forms may be obtained from the Bureau of Identification, 260 North Chicago Street, Joliet, Illinois 60431-1060. The Department shall not charge a fee to enroll. The Department shall provide enrolled dealers with a unique number to be used when inquiring into the Firearm Transfer Inquiry Program.

**Section 1235.70 Inquiry Requirement**  
EMERGENCY

Commencing January 1, 1992, and continuing thereafter, all dealers shall inquire into the Firearm Transfer Inquiry Program for all transfers which require the transferee to display a currently valid Firearm Owner's Identification Card which has previously been issued in his name by the Department under the provisions of the Firearm Owner's Identification Act (Ill. Rev. Stat. 1989, ch. 38, par. 83-1 et seq.).

**Section 1235.80 Inquiry Procedure**  
EMERGENCY

- a) The dealer will perform the inquiry by calling a 900 telephone number provided by the Department to the dealer. This number shall be kept confidential by the dealer and only used to perform inquiries required under Section 1235.70.
- b) The inquiry will consist of the permanent portion of the dealer's federal firearm license number (the first three digits and the last five digits), the dealer number issued by the Department, and the transferee's Firearm Owner's Identification Card number.

**Section 1235.90 Response Procedures**  
EMERGENCY

The Department shall provide, during the initial dealer inquiry, an approval, denial, or conditional denial of the transfer. The time period for the Department to respond shall begin at the time the inquiry is received. When the Department provides a conditional denial, the dealer shall not transfer the firearm until an approval is provided by the Department or the length of time prescribed in Section 24-3 of the Criminal Code of 1961 (Ill. Rev. Stat. 1989, ch. 38, par. 24-3) has been exceeded. Failure of the Department to provide an approval or denial within the prescribed length of time does not relieve the dealer from compliance with any other statutory restrictions on firearm transfers.

DEPARTMENT OF STATE POLICE  
NOTICE OF EMERGENCY RULES

**Section 1235.100 Denial Notification**  
EMERGENCY

If the Department denies approval to transfer firearms, the dealer shall enter the denial number on the Department's Firearm Transfer Inquiry Program denial notification form and provide the form to the transferee. The Department shall provide enrolled dealers with the denial notification forms.

**Section 1235.110 Transfer of Firearms**  
EMERGENCY

The transfer of the firearm(s) must occur after the withholding of delivery provisions of Section 24-3 of the Criminal Code of 1961 (Ill. Rev. Stat. 1989, ch. 38, par. 24-3) and within 30 days of the approval to transfer provided by the Department.

**Section 1235.120 Fees**  
EMERGENCY

The fee for inquiries shall be set by the Director. The fee shall be the cost to provide the service, but shall not exceed \$2.00. The fee shall be collected through use of the 900 inquiry number.

**Section 1235.130 Failure to Pay Fees**  
EMERGENCY

- a) If a dealer fails to pay his 900 telephone bill, which will be included in the dealer's normal telephone bill, 30 days after its due date, the Department shall notify the dealer that failure to pay this bill will result in termination of services.
- b) If a dealer fails to pay for the 900 service 60 days after its due date, the Department shall terminate Firearm Transfer Inquiry Program services to the dealer.



JOINT COMMITTEE ON ADMINISTRATIVE RULES  
ILLINOIS GENERAL ASSEMBLYSTATEMENT OF OBJECTION

## POLLUTION CONTROL BOARD

Heading of Part:Existing Activities In A Setback Zone or Regulated  
Recharge AreaCode Citation:

35 Ill. Adm. Code 615

Section Numbers:

615

Date Originally Published in Illinois Register:7/12/91  
15 Ill. Reg. 10303

At its meeting on November 19, 1991, the Joint Committee on Administrative Rules objected to the above proposed rulemaking. Failure of the agency to respond within 90 days after receipt of the Statement of Objection shall constitute withdrawal of the proposed rulemaking in its entirety.

The specific objection is as follows:

The Committee objects to the rules of the PCB entitled Existing Activities for a Setback Zone or Regulated Recharge Area (35 Ill. Adm. Code 615) because the rules are part of a proposed groundwater protection program that creates undo burden for certain small businesses. Additionally, according to information submitted by the Board at 2nd Notice, the Board failed to consider any regulatory alternatives designed to minimize the economic impact on small businesses, as required by Section 7.06(a) of the IAPA.

88610303

JOINT COMMITTEE ON ADMINISTRATIVE RULES  
ILLINOIS GENERAL ASSEMBLYSTATEMENT OF OBJECTION

## POLLUTION CONTROL BOARD

Heading of Part:

Introduction

Code Citation:

35 Ill. Adm. Code 601

Section Numbers:

601

Date Originally Published in Illinois Register:7/5/91  
15 Ill. Reg. 9829

At its meeting on November 19, 1991, the Joint Committee on Administrative Rules objected to the above proposed rulemaking. Failure of the agency to respond within 90 days after receipt of the Statement of Objection shall constitute withdrawal of the proposed rulemaking in its entirety.

The specific objection is as follows:

The Committee objects to the rules of the PCB entitled Introduction (35 Ill. Adm. Code 601) because the rules are part of a proposed groundwater protection program that creates undo burden for certain small businesses. Additionally, according to information submitted by the Board at 2nd Notice, the Board failed to consider any regulatory alternatives designed to minimize the economic impact on small businesses, as required by Section 7.06(a) of the IAPA.

88609829



JOINT COMMITTEE ON ADMINISTRATIVE RULES  
ILLINOIS GENERAL ASSEMBLYJOINT COMMITTEE ON ADMINISTRATIVE RULES  
ILLINOIS GENERAL ASSEMBLYSTATEMENT OF OBJECTIONSTATEMENT OF OBJECTION

## POLLUTION CONTROL BOARD

## POLLUTION CONTROL BOARD

Heading of Part:New Activities in a Setback Zone or Regulated  
Recharge Area

Regulated Recharge Areas

Code Citation:

35 Ill. Adm. Code 616

35 Ill. Adm. Code 617

Section Numbers:

616

617

Date Originally Published in Illinois Register:7/5/91  
15 Ill. Reg. 98367/5/91  
15 Ill. Reg. 9882

At its meeting on November 19, 1991, the Joint Committee on Administrative Rules objected to the above proposed rulemaking. Failure of the agency to respond within 90 days after receipt of the Statement of Objection shall constitute withdrawal of the proposed rulemaking in its entirety.

At its meeting on November 19, 1991, the Joint Committee on Administrative Rules objected to the above proposed rulemaking. Failure of the agency to respond within 90 days after receipt of the Statement of Objection shall constitute withdrawal of the proposed rulemaking in its entirety.

The specific objection is as follows:The specific objection is as follows:

The Committee objects to the rules of the PCB entitled New Activities for a Setback Zone or Regulated Recharge Area (35 Ill. Adm. Code 616) because the rules are part of a proposed groundwater protection program that creates undo burden for certain small businesses. Additionally, according to information submitted by the Board at 2nd Notice, the Board failed to consider any regulatory alternatives designed to minimize the economic impact on small businesses, as required by Section 7.06(a) of the IAPA.

The Committee objects to the rules of the PCB entitled Regulated Recharge Areas (35 Ill. Adm. Code 617) because the rules are part of a proposed groundwater protection program that creates undo burden for certain small businesses. Additionally, according to information submitted by the Board at 2nd Notice, the Board failed to consider any regulatory alternatives designed to minimize the economic impact on small businesses, as required by Section 7.06(a) of the IAPA.

88609836

88609882



## ILLINOIS REGISTER

JOINT COMMITTEE ON ADMINISTRATIVE RULES  
ILLINOIS GENERAL ASSEMBLYSTATEMENT OF OBJECTION TO EMERGENCY RULEMAKING

## DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Heading of Part: Licensing Standards for Day Care HomesCode Citation: 89 Ill. Adm. Code 406Section Numbers: 406.2Date Originally Published in Illinois Register: 10/18/91  
15 Ill. Reg. 15088

At its meeting on November 19, 1991, the Joint Committee on Administrative Rules objected to the above emergency rulemaking. Failure of the agency to respond within 90 days after receipt of the Statement of Objection shall constitute a refusal to amend or repeal the rule.

The specific objection is as follows:

The Committee objects to the rulemaking entitled Licensing Standards for Day Care Homes because the Department failed to amend language in the definition of day care home to reflect the statutory increase in the maximum capacity for day care homes from 8 to 12 children.

88515088

## ILLINOIS REGISTER

JOINT COMMITTEE ON ADMINISTRATIVE RULES  
ILLINOIS GENERAL ASSEMBLYSTATEMENT OF OBJECTION TO EMERGENCY RULEMAKING

## DEPARTMENT OF PUBLIC AID

Heading of Part: General AssistanceCode Citation: 89 Ill. Adm. Code 114Section Numbers:  
114.1 114.2  
114.60 114.61  
114.62 114.63  
114.64 114.70  
114.80 114.120  
114.121 114.122  
114.123 114.124  
114.400 114.420Date Originally Published in Illinois Register: 10/18/91  
15 Ill. Reg. 15144

At its meeting on November 19, 1991, the Joint Committee on Administrative Rules objected to the above emergency rulemaking. Failure of the agency to respond within 90 days after receipt of the Statement of Objection shall constitute a refusal to amend or repeal the rule.

The specific objection is as follows:

The Committee objects to the Department of Public Aid's rulemaking entitled General Assistance (89 Ill. Adm. Code 114) because the Department has failed to appropriately consider concerns regarding those individuals who will be determined to be "not employable clients".

88515144



JOINT COMMITTEE ON ADMINISTRATIVE RULES  
STATE OF ILLINOIS CENTERROOM 16-503  
CHICAGO, ILLINOIS  
10:00 A.M.

DECEMBER 13, 1991

NOTICE: It is the policy of the Committee to allow only representatives of state agencies to testify orally on any rule under consideration at Committee hearings. If members of the public wish to express their views with respect to a proposed rule, they should submit written comments to the Office of the Joint Committee on Administrative Rules at the following address:

Joint Committee on Administrative Rules  
509 South Sixth Street  
Room 500  
Springfield, Illinois 62701

AGENDA

## I. Approval of November 19, 1991 Minutes

## II. Review of Proposed Agency Rulemaking

Department of Alcoholism and Substance Abuse

1. Award and Monitoring Funds (77 Ill. Adm. Code 2030)  
-First Notice Published: 15 Ill. Reg. 9083 - 6-28-91  
-Expiration of Second Notice Period: 12-27-91
2. Repeal of Award Criteria and Procedure (77 Ill. Adm. Code 2030)  
-First Notice Published: 15 Ill. Reg. 9149 - 6-28-91  
-Expiration of Second Notice Period: 1-2-92
3. Repeal of Suspension and Termination of Financial Assistance (77 Ill. Adm. Code 2032)  
-First Notice Published: 15 Ill. Reg. 9218 - 6-28-91  
-Expiration of Second Notice Period: 1-2-92
4. Repeal of Fiscal and Programmatic Requirements (77 Ill. Adm. Code 2030)  
-First Notice Published: 15 Ill. Reg. 9153 - 6-28-91  
-Expiration of Second Notice Period: 1-2-92

## JOINT COMMITTEE ON ADMINISTRATIVE RULES

## AGENDA

Department of Commerce and Community Affairs

5. Repeal of Illinois Clean and Beautiful Program (47 Ill. Adm. Code 140)  
-First Notice Published: 15 Ill. Reg. 13241 - 9-13-91  
-Expiration of Second Notice Period: 12-23-91

Department of Conservation

6. The Taking of Reptiles and Amphibians (17 Ill. Adm. Code 880)  
-First Notice Published: 15 Ill. Reg. 13603 - 9-20-91  
-Expiration of Second Notice Period: 12-23-91
7. Illinois List of Endangered and Threatened Fauna (17 Ill. Adm. Code 1010)  
-First Notice Published: 15 Ill. Reg. 13594 - 9-20-91  
-Expiration of Second Notice Period: 12-23-91
8. Duck, Goose and Coot Hunting (17 Ill. Adm. Code 580)  
-First Notice Published: 15 Ill. Reg. 14157 - 10-4-91  
-Expiration of Second Notice Period: 12-30-91

Department of Employment Security

9. Determination of Unemployment (56 Ill. Adm. Code 2770)  
-First Notice Published: 15 Ill. Reg. 13257 - 9-13-91  
-Expiration of Second Notice Period: 12-23-91
10. Administrative Hearings and Appeals (56 Ill. Adm. Code 2725)  
-First Notice Published: 15 Ill. Reg. 13252 - 9-13-91  
-Expiration of Second Notice Period: 1-6-92

Department of Insurance

11. Prelicensing and Continuing Education (50 Ill. Adm. Code 3119)  
-First Notice Published: 15 Ill. Reg. 11055 - 3-2-91  
-Expiration of Second Notice Period: 1-2-92

Pollution Control Board

12. Repeal of Special Waste Hauling (35 Ill. Adm. Code 809)  
-First Notice Published: 15 Ill. Reg. 13017 - 9-6-91  
-Expiration of Second Notice Period: 12-20-91



JOINT COMMITTEE ON ADMINISTRATIVE RULES

AGENDA

Secretary of State

13. Literacy Grant Program (23 Ill. Adm. Code 3040)  
-First Notice Published: 15 Ill. Reg. 14050 - 9-27-91  
-Expiration of Second Notice Period: 1-6-92

Department of Transportation

14. Minimum Safety Standards for Construction of Type I School Buses (92 Ill. Adm. Code 440)  
-First Notice Published: 15 Ill. Reg. 13041 - 9-6-91  
-Expiration of Second Notice Period: 12-23-91

15. Minimum Safety Standards for Construction of Type II School Buses (92 Ill. Adm. Code 442)  
-First Notice Published: 15 Ill. Reg. 13072 - 9-6-91  
-Expiration of Second Notice Period: 12-23-91

III. Certification of No Objection to Proposed Rulemaking

IV. Review of Emergency Rulemaking and Peremptory Rulemaking

Department of Conservation

16. Cock Pheasant, Hungarian Partridge, Bobwhite Quail, Rabbit and Crow Hunting (17 Ill. Adm. Code 530) (Emergency)  
-Notice Published: 15 Ill. Reg. 16124 - 11-8-91

17. Duck, Goose and Coot Hunting (17 Ill. Adm. Code 590) (Emergency)  
-Notice Published: 15 Ill. Reg. 16745 - 11-15-91

18. White-Tailed Deer Hunting by Use of Firearms (17 Ill. Adm. Code 650) (Emergency)  
-Notice Published: 15 Ill. Reg. 15790 - 11-1-91

Department of Labor

19. Illinois Child Labor Law (56 Ill. Adm. Code 250) (Emergency)  
-Notice Published: 15 Ill. Reg. 16132 - 11-8-91

Department of Public Aid

20. Developmental Disabilities Services (89 Ill. Adm. Code 144) (Emergency)  
-Notice Published: 15 Ill. Reg. 16148 - 11-8-91

JOINT COMMITTEE ON ADMINISTRATIVE RULES

AGENDA

21. Hospital Services (89 Ill. Adm. Code 148) (Emergency)  
-Notice Published: 15 Ill. Reg. 16166 - 11-8-91
22. Illinois Competitive Access and Reimbursement Equity (ICARE) Program (89 Ill. Adm. Code 149) (Emergency)  
-Notice Published: 15 Ill. Reg. 16308 - 11-8-91

23. Medical Payment (89 Ill. Adm. Code 140.94 and 140.95) (Emergency)  
-Notice Published: 15 Ill. Reg. 16366 - 11-8-91

24. Medical Payment (89 Ill. Adm. Code 140.530 - 140.835) (Emergency)  
-Notice Published: 15 Ill. Reg. 16366 - 11-8-91

25. Reimbursement for Nursing Costs for Geriatric Facilities (89 Ill. Adm. Code 147) (Emergency)  
-Notice Published: 15 Ill. Reg. 16435 - 11-8-91

26. Crisis Assistance (89 Ill. Adm. Code 116) (Emergency)  
-Notice Published: 15 Ill. Reg. 16772 - 11-15-91

Department of Public Health

27. Control of Sexually Transmissible Diseases Code (77 Ill. Adm. Code 693) (Emergency)  
-Notice Published: 15 Ill. Reg. 16462 - 11-8-91

28. The Illinois Formulary for the Drug Product Selection Program (77 Ill. Adm. Code 790) (Emergency)  
-Notice Published: 15 Ill. Reg. 16484 - 11-8-91

Illinois Racing Board

29. Racing Rules (11 Ill. Adm. Code 1318) (Emergency)  
-Notice Published: 15 Ill. Reg. 15610 - 10-25-91

Secretary of State

30. Regulations Under Illinois Securities Law of 1953 (14 Ill. Adm. Code 130) (Emergency)  
-Notice Published: 15 Ill. Reg. 16785 - 11-15-91

Illinois Student Assistance Commission

31. Illinois Veteran Grant Program (23 Ill. Adm. Code 2733) (Emergency)  
-Notice Published: 15 Ill. Reg. 15613 - 10-25-91



## JOINT COMMITTEE ON ADMINISTRATIVE RULES

## AGENDA

32. Minority Teachers of Illinois Scholarship Aid Program (23 Ill. Adm. Code 2763) (Emergency)  
-Notice Published: 15 Ill. Reg. 15621 - 10-25-91
33. College Savings Bond Bonus Incentive Grant Program (BIG) (23 Ill. Adm. Code 2771) (Emergency)  
-Notice Published: 15 Ill. Reg. 15800 - 11-1-91

## V. Agency Responses to Joint Committee Statements of Objection

Department of Public Health

34. Ambulatory Surgical Treatment Center Licensing Requirements (77 Ill. Adm. Code 205)  
-First Published: 4-5-91  
-Objection Date: 8-20-91  
-Response: No Response

## VI. Exempt Rulemakings

Pollution Control Board

35. Standards for Owners and Operators of Hazardous Waste Treatment, Storage and Disposal Facilities (35 Ill. Adm. Code 724)  
-Proposed Date: 4-26-91  
-Adopted Date: 10-11-91
36. Standards Applicable to Generators of Hazardous Waste (35 Ill. Adm. Code 722)  
-Proposed Date: 4-26-91  
-Adopted Date: 10-11-91
37. Interim Status Standards for Owners and Operators of Hazardous Waste Treatment, Storage and Disposal Facilities (35 Ill. Adm. Code 725)  
-Proposed Date: 4-26-91  
-Adopted Date: 10-11-91
38. Identification and Listing of Hazardous Waste (35 Ill. Adm. Code 721)  
-Proposed Date: 4-26-91  
-Adopted Date: 10-11-91
39. Hazardous Waste Management System: General; (35 Ill. Adm. Code 720)  
-Proposed Date: 4-26-91  
-Adopted Date: 10-11-91

## JOINT COMMITTEE ON ADMINISTRATIVE RULES

## AGENDA

40. RCRA Permit Program (35 Ill. Adm. Code 703)  
-Proposed Date: 4-26-91  
-Adopted Date: 10-11-91
41. Definitions and General Provisions (35 Ill. Adm. Code 211)  
-Proposed Date: 10/11/91  
-Adopted Date: 10/25/91
42. Organic Material Emission Standards and Limitations (35 Ill. Adm. Code 215)  
-Proposed Date: 10/11/91  
-Adopted Date: 10/25/91



## ILLINOIS REGISTER

JOINT COMMITTEE ON ADMINISTRATIVE RULES  
ILLINOIS GENERAL ASSEMBLY

## SECOND NOTICES RECEIVED

The following second notices were received by the Joint Committee on Administrative Rules during the period of November 20, 1991 through November 26, 1991, and have been scheduled for review by the Committee at its December 13, 1991 or January meeting. Other items not contained in this published list may also be considered by the Committee at its December or January meeting. Members of the public wishing to express their views with respect to a rule should submit written comments to the Committee at the following address: Joint Committee on Administrative Rules, 509 South Sixth Street, Room 500, Springfield, IL 62701.

Second Notice Expires	Agency and Rule	Start of First Notice	JCAR Meeting
1/6/92	Department of Employment Security, Administrative Hearings and Appeals (56 Ill. Adm. Code 2725)	9/13/91 15 Ill. Reg. 13252	12/13/91
1/6/92	Secretary of State, Literacy Grant Program (23 Ill. Adm. Code 3040)	9/27/91 15 Ill. Reg. 14050	12/13/91
1/9/92	Department of Transportation, Accommodation of Utilities on Right-of-way, Repeal of (92 Ill. Adm. Code 530)	2/22/91 15 Ill. Reg. 3003	1/92
1/9/92	Department of Transportation, Accommodation of Utilities on Right-of-way (92 Ill. Adm. Code 530)	2/22/91 15 Ill. Reg. 2940	1/92
1/9/92	Department of Public Aid, Developmental Disabilities Service (89 Ill. Adm. Code 144)	5/17/91 15 Ill. Reg. 7445	1/92
1/9/92	Department of Public Aid, Medical Payment (89 Ill. Adm. Code 140)	5/17/91 15 Ill. Reg. 7482	1/92
1/10/92	Illinois Commerce Commission, Standards of Service for Electric Utilities (83 Ill. Adm. Code 410)	8/23/91 15 Ill. Reg. 11899	1/92
1/10/92	Illinois Commerce Commission, Standards for Service for Gas Utilities (83 Ill. Adm. Code 500)	8/23/91 15 Ill. Reg. 11905	1/92

## ILLINOIS REGISTER

JOINT COMMITTEE ON ADMINISTRATIVE RULES  
ILLINOIS GENERAL ASSEMBLYSECOND NOTICES RECEIVED  
(page 2)

Second Notice Expires	Agency and Rule	Start of First Notice	JCAR Meeting
1/10/92	Department of Mines and Minerals, Illinois Oil and Gas Act (62 Ill. Adm. Code 240)	10/11/91 15 Ill. Reg. 14365	1/92



## PROCLAMATION

91-565

## PEARL HARBOR COMMEMORATION DAY

Whereas, December 7, 1991, will commemorate the 50th anniversary of the Japanese attack on units of the United States Armed Forces at Pearl Harbor; and

Whereas, the attack on Pearl Harbor marked the entry of the United States into World War II; and

Whereas, more than 2,000 U.S. citizens were killed in action, and 1,178 were wounded in the attack; and

Whereas, the people of the United States owe a tremendous debt of gratitude to all members of our Armed Forces who served at Pearl Harbor and in all other theaters of action during World War II; and

Whereas, veterans and people of the United States must be ever mindful of the dangers of racism and stereotyping, often a result of the aggressions of war; and

Whereas, our country must strive to maintain a just and fair environment, even in the difficult times of war;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim December 7, 1991, as PEARL HARBOR COMMEMORATION DAY in Illinois. I urge all citizens to join in this observation, in recognition of the many sacrifices Americans have made for the United States of America.

Issued by the Governor November 18, 1991.

Filed with the Secretary of State November 20, 1991.

91-566

## YEAR OF CITIZENSHIP

Whereas, October 12, 1991, begins the quincentennial year of Christopher Columbus' first voyage to America; and

Whereas, a fitting recognition of the momentous event in our history would be a collaboration of the diverse peoples and communities that make up this our country; and

Whereas, a significant portion of our state's population is made up of ethnically diverse individuals from many different countries and racial backgrounds; and

Whereas, the State of Illinois and its government continually seek to forge active partnerships between community institutions and the leaders who represent them--partnerships for the improvement in the quality of life in our communities;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim October 1991-October 1992 as THE YEAR OF CITIZENSHIP in Illinois.

Issued by the Governor November 18, 1991.

Filed with the Secretary of State November 20, 1991.

91-567

## DISASTER AREA - WILLIAMSON COUNTY

Severe thunderstorms involving extremely high wind, torrential rain and flooding on November 19, 1991 caused serious injuries to individuals and extensive damage to homes, businesses, and public property in the City of Marion and Williamson County, Illinois.

In the interest of aiding those residents who suffered losses because of this storm, I hereby declare Williamson County to be a State of Illinois Disaster Area, pursuant to the provisions of Section 7 (a) of the "Illinois Emergency Services and Disaster Agency Act of 1988" (Ill. Rev. Stat., 1989, ch. 127, par. 1051, et seq.).

This gubernatorial declaration of disaster will assist the Illinois Emergency Services and Disaster Agency in coordinating other State resources in the disaster response and recovery operations; provide for the reassessment of real and personal property substantially damaged by the storm; and make possible a request for Federal disaster assistance.

Issued by the Governor November 20, 1991.

Filed with the Secretary of State November 21, 1991.

91-568

## APLASTIC ANEMIA AWARENESS WEEK

Whereas, Aplastic Anemia is a life-threatening blood disease wherein the bone marrow fails to produce enough blood cells to sustain life. Each year, people of all ages fall prey to this debilitating and often fatal disease; and

Whereas, the Earl J. Goldberg Aplastic Anemia Foundation is dedicated to the research and education of Aplastic Anemia; and

Whereas, the public needs to be aware of this frequently fatal disease;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim December 1-7, 1991, as APLASTIC ANEMIA AWARENESS WEEK in Illinois and urge citizens to join in the fight against this disease.

Issued by the Governor November 19, 1991.

Filed with the Secretary of State November 25, 1991.

91-569

## HOSPITAL ENGINEERING EMPLOYEES RECOGNITION DAY

Whereas, hospital engineering departments are an integral part of maintaining hospitals as safe and dependable institutions devoted to the high-quality patient care; and

Whereas, it is essential to continue improving the standards and performances of engineering staff; and

Whereas, the importance of the job done by engineering



people, who usually work behind the scenes, should be acknowledged; and

Whereas, a need exists to attract competent, qualified, and dedicated people to serve in health care institutions;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim November 25, 1991, as HOSPITAL ENGINEERING EMPLOYEES RECOGNITION DAY in Illinois, in recognition of the contributions hospital engineers have made to the quality of health care in our state.

Issued by the Governor November 19, 1991.

Filed with the Secretary of State November 25, 1991.

91-570

## WOMEN VETERANS RECOGNITION DAY

Whereas, as active participants in America's defense, women serving in the Armed Forces have safeguarded our nation's heritage; and

Whereas, during World War I, they served as nurses, shipyard personnel, and battlefield telephone operators. During World War II, they served in support and operational capacities around the world; and

Whereas, today there are more than 1,000,000 women veterans who deserve to be acknowledged for their courage, selflessness, and dedication to duty. More than 45,000 of these veterans are Illinoisans; and

Whereas, the United States Department of Labor and the Illinois Department of Employment Security are sponsoring a special conference for women veterans November 19 in Chicago; and

Whereas, with the theme "Women Are Veterans, Too," the conference aims to inform women veterans about state and federal benefits, health care issues, small business development, employment and training opportunities, veteran service organizations, networking, and support services;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim November 19, 1991, as WOMEN VETERANS RECOGNITION DAY in Illinois.

Issued by the Governor November 19, 1991.

Filed with the Secretary of State November 25, 1991.

91-571

## ADULT EDUCATION ACT MONTH

Whereas, on November 3, 1966, Congress approved the nation's first adult education legislation; and

Whereas, adult education programs have served as the major resource for providing educationally disadvantaged adults with the opportunity to reach their full potential; and

Whereas, the National Literacy Act of 1991 defines literacy as "an individual's ability to read, write, and speak in English,

and compute and solve problems at levels of proficiency necessary to function on the job and in society, to believe one's goals, and develop one's knowledge and potential;" and

Whereas, adult education and literacy are critical components of the Illinois Community College system, which provides education, career counseling, and guidance to more than 150,000 students each year;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim November 1991 as ADULT EDUCATION ACT MONTH in Illinois and join with the Illinois Community College Board in acknowledging the 25th anniversary of the Adult Education Act.

Issued by the Governor November 21, 1991.

Filed with the Secretary of State November 25, 1991.

91-572

## DEVRY INSTITUTE OF TECHNOLOGY WEEK

Whereas, DeVry Institute of Technology is one of the largest for-profit postsecondary educational organizations in North America, with locations in Chicago, Atlanta, Dallas, Los Angeles, Phoenix, and Toronto; and

Whereas, DeVry Institute offers an extensive curriculum in science and technology, and bachelor's degrees may be awarded at most campuses in the United States; and

Whereas, DeVry Institutes in the United States are accredited by the Commission on Institutes of Higher Education of the North Central Association of Colleges and Schools, and various technical programs are accredited by NCA, TAC/ABET, OACETT, and ASET; and

Whereas, 1991 marks DeVry's 60th anniversary and a celebration will be held at the DeVry Institute of Technology in Chicago December 11;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim December 8-14, 1991, as DEVRY INSTITUTE OF TECHNOLOGY WEEK in Illinois and congratulate DeVry on its 60th year of service.

Issued by the Governor November 21, 1991.

Filed with the Secretary of State November 25, 1991.

91-573

## GERMAN-AMERICAN SOCCER DAY

Whereas, for 27 years, the Sepp Herberger Committee has been sponsoring soccer clubs for Chicago-area youth; and

Whereas, the Sepp Herberger Committee promotes good citizenship and pride in its heritage to all who participate in its activities; and

Whereas, the annual Sepp Herberger Fund-Raising Dinner Dance is being held in November to express appreciation to the dedicated coaches, players, and trainers of the soccer clubs;



91 Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim November 30, 1991, as GERMAN-AMERICAN SOCCER DAY in Illinois, in honor of youth soccer and all the individuals involved through the Sepp Herberger Committee.  
 Issued by the Governor November 21, 1991.  
 Filed with the Secretary of State November 25, 1991.

91-574

## MADD'S PROJECT RED RIBBON DAYS

Whereas, drunk driving claims the lives of more than 22,415 Americans each year. Statistics show that each day 62 people die on our nation's highways in alcohol-related crashes, compared to 76 people per day 10 years ago; and  
 Whereas, Mothers Against Drunk Drivers (MADD) has played a vital role in the enactment of more than 1,250 laws against drunk driving; and

Whereas, the fight against drunk driving has saved an estimated 39,000 lives during the past decade; and  
 Whereas, thousands of volunteers across our nation have dedicated countless hours to providing support for victims and their families and preventing further drunk driving tragedies; and

Whereas, MADD members and supporters pledge to continue their efforts in the next decade and beyond as they say, "We're In It For Lives;" and

Whereas, MADD is asking Americans to "Tie One On For Safety"--to tie a red ribbon to a visible location on their vehicles to show participation in Project Red Ribbon, MADD's national holiday public awareness program;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim November 1, 1991, to January 1, 1992, as MADD'S PROJECT RED RIBBON DAYS in Illinois and encourage citizens to "Tie One On For Safety" and help make the holidays safer by driving sober this holiday season and throughout the year.

Issued by the Governor November 21, 1991.  
 Filed with the Secretary of State November 25, 1991.

91-575

## UNITED CHARITIES DAY

Whereas, since its inception in 1857, United Charities has worked to provide care for needy families, even through difficult times such as the Great Chicago Fire and the Depression of the 1930s; and

Whereas, the organization's mission is to give families a greater degree of control over their own environment; and  
 Whereas, United Charities recognizes that growth means diversity in the population and that with diversity comes the responsibility to address these new needs; and

Whereas, United Charities works within Illinois communities, providing services to families with young children, to the elderly and their caregivers, to individuals needing mental health services and their families, and to economically disadvantaged families; and

Whereas, to further assist needy citizens, United Charities has added services such as the Legal Aid Bureau, school programs, counseling and learning opportunities, employee assistance, and a residential program;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim December 7, 1991, as UNITED CHARITIES DAY in Illinois, in recognition of the dedication the organization has shown in its efforts to improve the quality of life for our citizens.

Issued by the Governor November 21, 1991.  
 Filed with the Secretary of State November 25, 1991.

91-576

## ANTENNE-2, LE JOURNAL DAY

Whereas, as part of a mid-America heritage, Illinois residents have fostered a deep interest in the people and events affecting our domestic and foreign neighbors; and

Whereas, as more Illinoisans are building international businesses, there is a greater interest in learning about the French viewpoint on important international social and economic issues; and

Whereas, the French Public TV Network, Antenne-2, is dedicated to broadcasting local and world news event to France, as well as to francophiles worldwide; and

Whereas, Chicago Access Corporation's Community Access Television Network is committed to presenting innovative cable programming that maximizes public awareness of, use of, and involvement in cable television for cultural, educational, health, social service, civic, community, and other nonprofit purposes; and

Whereas, the network will air the world news program, Le Journal, to give its viewers the opportunity to increase their knowledge of international issues in the areas of politics, economics, human rights, culture, and current events;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim December 2, 1991, as ANTENNE-2, LE JOURNAL DAY in Illinois.

Issued by the Governor November 22, 1991.  
 Filed with the Secretary of State November 25, 1991.



# **JCAR - Joint Committee on Administrative Rules** **ACTION CODES**

<b>A</b> - Adopted Rule	<b>P</b> - Proposed Rule
<b>AR</b> - Adopted Repealer	<b>PF</b> - Prohibited Filing Ordered by JCAR
<b>C</b> - Notice of Corrections	<b>PR</b> - Peremptory or Court ordered Rules
<b>CC</b> - Codification Changes	<b>PP</b> - Proposed Repealer
<b>E</b> - Emergency Rule	<b>R</b> - Refusal to meet JCAR objection
<b>ER</b> - Emergency Repealer	<b>RC</b> - Statement of Recommendation
<b>M</b> - Modification to meet JCAR objections	<b>S</b> - Suspension ordered by JCAR
<b>O</b> - JCAR Statement of Objections	<b>W</b> - Withdrawal to meet JCAR objections

## **EXAMPLE:**

## **AGRICULTURE, DEPARTMENT OF**

TITLE	PART	ACTION CODE	PAGE NUMBER	PREVIOUS VOLUME	ACTION CODE	PAGE NUMBER
8 Ill. Adm. Code 285	III. Grain Insurance Act (P-18048/85; A-6818)					

ALL RULES ARE LISTED BY PART NUMBER AND HEADING ONLY. (FOR ACTION ON SPECIFIC SECTIONS, PLEASE REFER TO THE SECTIONS AFFECTED INDEX.) IF THERE ARE ANY QUESTIONS, PLEASE CONTACT THE ADMINISTRATIVE CODE DIVISION AT (217) 782-9786.

## **ABANDONED MINED LANDS RECLAMATION COUNCIL**

62 Ill. Adm. Code 2501	Abandoned Mined Lands Reclamation (P-141; A-6513)
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## **AGING, DEPARTMENT ON**

89 Ill. Adm. Code 240	Community Care Program (E-2838; A-10351) (P-18635/90; A-10351) (P-14335) (E-14593) (P-17007) (E-17398)
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## **AGRICULTURE, DEPARTMENT OF**

8 Ill. Adm. Code 255	Agricultural Facilities (E-128)
8 Ill. Adm. Code 270	III. State Fair & DuQuoin State Fair, Non-Fair Space Rental & the General Operation of the State Fairgrounds (P-10965/90; A-455)
8 Ill. Adm. Code 125	Meat & Poultry Inspection Act (PP-620; W-1574) (P-1583) (PP-3117) (PP-8714) (P-1583; A-8801) (PP-13976)
2 Ill. Adm. Code 700	Organizational Chart, Description, Rulemaking Procedure, & Programs (A-6105)
8 Ill. Adm. Code 290	Standardbred & Thoroughbred Horse Breeding & Racing Programs (P-19087/90; A-5207)

## **ALCOHOLISM AND SUBSTANCE ABUSE, DEPARTMENT OF**

77 Ill. Adm. Code 2030	Award & Monitoring of Funds (P-9083)
77 Ill. Adm. Code 2031	Award Criteria & Procedure (PR-9149)
77 Ill. Adm. Code 2030	Fiscal & Programmatic Requirements (PR-9153)
77 Ill. Adm. Code 2058	Licensure of Alcoholism & Substance Abuse Treatment, Intervention & Research Programs (P-6457/90; A-2597) (P-8837; A-13708)

**ALCOHOLISM AND SUBSTANCE ABUSE, DEPARTMENT OF (CONT'D)**  
77 Ill. Adm. Code 2090  
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77 Ill. Adm. Code 2032  
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## **ASBESTOS ABATEMENT AUTHORITY, ILLINOIS**

2 Ill. Adm. Code 2650	Organization, rulemaking & Public Information (A-2660)
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14 Ill. Adm. Code 475	Motor Vehicle Advertising (P-6343)
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74 Ill. Adm. Code 420	Code of Regs. (P-15645/90; A-3429)
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38 Ill. Adm. Code 354	Administration of Collateral Obtained in Collection of a Debt (P-3614)
38 Ill. Adm. Code 397	Corporate Fiduciary Receivership Account (P-15181/90; A-167)
38 Ill. Adm. Code 350	Loan Agreements Providing for a Bank to Share in Profits, Income or Earnings (P-2053)

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56 Ill. Adm. Code 6000	Carnival & Amusement Ride Inspection Law (P-2989/90; A-4109)
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80 Ill. Adm. Code 303	Conditions of Employment (P-4801; A-14067) (E-5076) (P-17399/90; A-5214)
89 Ill. Adm. Code 1300	Day Care (P-5141)
80 Ill. Adm. Code 302	Merit & Fitness (P-11859)
80 Ill. Adm. Code 310	Pay Plan (PP-663) (P-14657/90; A-3296) (P-15186/90; A-4401) (P-4497; W-5920) (PP-5100) (P-5147; A-13080) (PP-5465) (P-6364; A-14210) (E-10485) (P-4497; A-11080; C-11537) (P-12051)
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89 Ill. Adm. Code 408	Licensing Standards for Group Day Care Homes (P-14764) (E-15104)
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- 14 Ill. Adm. Code 540 Technology Commercialization Grant-In-Aid Programs (P-11022/90; A-973)
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The Sections Affected Index lists, by Title, each Section of a codified Part on which rulemaking activity has occurred in this volume of the Register and is divided into two parts: the first lists the Sections on which rulemaking activity occurred in this issue of the Register. (The headings at the top of each page indicate the two parts: the first part shows the previous issue numbers inclusively and the date of the last published issue; the second lists the current issue number and date.) The columns in both parts indicate the type of rulemaking activity and the action taken along with the page number on which the first page of the notice of rulemaking activity appeared. If a Section on which action is being taken in the current volume (calendar year) of the Register was proposed in a previous volume, the last two digits of the previous volume's year appear immediately after the page number separated by a slash. (e.g. 1 Ill. Adm. Code 100.280 was proposed last year and adopted this year. The action entry reads: (P-8577/89; A-724) The codes for both columns are listed below. For a complete listing of the Titles of the Illinois Administrative Code, please refer to 1 Ill. Adm. Code 100.140 or contact the Administrative Code Division.

TYPE OF RULEMAKING		ACTION CODES	
am	= amendment to existing Section	A	= Adopted rule
cc	= codification changes	C	= Correction
n	= new Section	CC	= Codification Changes
r	= repeal of existing Section	E	= Emergency rule
rc	= reclassified	F	= Failure to Remedy
#	= renumbered	M	= Modification
		O	= ICAR Objection
		P	= Proposed rule
		PF	= Prohibited Filing
		PP	= Peremptory rule
		R	= Refusal to Modify or Withdraw
		RC	= ICAR Recommendation
		S	= Suspended rule
		W	= Withdrawal of Proposed rule

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100.100	am	(P-7522; A-13939)	2650.320	n	(A-2660)
100.110	am	(P-7522; A-13939)	2650.330	n	(A-2660)
100.110	am	(P-7522; A-13939)	2650.340	n	(A-2660)
100.150	am	(P-7522; A-13939)	2650.400	n	(A-2660)
100.180	am	(P-7522; A-13939)	2650.410	n	(A-2660)
100.220	am	(P-7522; A-13939)	2650.410	n	(A-2660)
100.230	am	(P-7522; A-13939)	2650.II.A	n	(A-2660)
100.240	am	(P-7522; A-13939)	2650.II.B	n	(A-2660)
100.260	am	(P-7522; A-13939)	<b>TITLE 8</b>		
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100.280	am	(P-7522; A-13939)	125.30	am	(PP-620; W-1574) (P-1583; A-8801)
100.310	am	(P-7522; A-13939)	125.40	am	(PP-620; W-1574) (P-1583; A-8801)
100.335	am	(P-7522; A-13939)	125.50	am	(PP-620; W-1574) (P-1583; A-8801)
100.340	am	(P-7522; A-13939)	125.60	am	(PP-620; W-1574) (P-1583; A-8801)
100.350	am	(P-7522; A-13939)	125.80	am	(PP-620; W-1574) (P-1583; A-8801)
100.400	am	(P-7522; A-13939)	125.90	am	(PP-620; W-1574) (P-1583; A-8801)
100.450	am	(P-7522; A-13939)	125.100	am	(PP-620; W-1574) (P-1583; A-8801)
100.500	am	(P-7522; A-13939)	125.110	am	(PP-620; W-1574) (P-1583; A-8801)
100.510	am	(P-7522; A-13939)	125.120	am	(PP-620; W-1574) (P-1583; A-8801)
100.545	am	(P-7522; A-13939)	125.130	am	(PP-620; W-1574) (P-1583; A-8801)
100.550	am	(P-7522; A-13939)	125.140	am	(PP-620; W-1574) (P-1583; A-8801)
100.640	am	(P-7522; A-13939)	125.150	am	(PP-620; W-1574) (P-1583; A-8801)
100.660	am	(P-7522; A-13939)	125.160	am	(PP-620; W-1574) (P-1583; A-8801)
100.670	am	(P-7522; A-13939)	125.170	am	(PP-620; W-1574) (P-1583; A-8801)
100.680	am	(P-7522; A-13939)	125.180	am	(PP-620; W-1574) (P-1583; A-8801)
100.735	am	(P-7522; A-13939)	125.190	am	(PP-620; W-1574) (P-1583; A-8801)
100.740	am	(P-7522; A-13939)	125.200	am	(PP-620; W-1574) (P-1583; A-8801)
100.900	am	(P-7522; A-13939)	125.210	am	(PP-620; W-1574) (P-1583; A-8801)
100.1010	am	(P-7522; A-13939)	125.220	am	(PP-620; W-1574) (P-1583; A-8801)
100.1020	am	(P-7522; A-13939)	125.230	am	(PP-620; W-1574) (P-1583; A-8801)
100.1100	am	(P-7522; A-13939)	125.240	am	(PP-620; W-1574) (P-1583; A-8801)
100.1150	am	(P-7522; A-13939)	125.250	am	(PP-620; W-1574) (P-1583; A-8801)
100.1200	am	(P-7522; A-13939)	125.260	am	(PP-620; W-1574) (P-1583; A-8801)
100.1210	am	(P-7522; A-13939)	125.270	am	(PP-620; W-1574) (P-1583; A-8801)
			125.280	am	(PP-620; W-1574) (P-1583; A-8801)
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700.100	am	(A-6105)			
700.130	am	(A-6105)			
700.140	am	(A-6105)			
700.150	am	(A-6105)			
2025.120	n	(A-7897)			
2375.110	am	(A-1571)			
2600.130	am	(A-17607)			
2600.140	am	(A-17607)			
2600.200	am	(A-17607)			
2650.10	n	(A-2660)			
2650.20	n	(A-2660)			
2650.30	n	(A-2660)			
2650.40	n	(A-2660)			
2650.50	n	(A-2660)			
2650.60	n	(A-2660)			
2650.100	n	(A-2660)			
2650.200	n	(A-2660)			
2650.205	n	(A-2660)			
2650.210	n	(A-2660)			
2650.220	n	(A-2660)			
2650.300	n	(A-2660)			
2650.310	n	(A-2660)			
2650.311	n	(A-2660)			
2650.312	n	(A-2660)			
2650.313	n	(A-2660)			
2650.314	n	(A-2660)			



TITLE 8 (CONT'D)

125.290	am	(PP-620; W-1574) (P-1583; A-8801)	436.120	am	(E-12944)
125.300	am	(PP-620; W-1574) (P-1583; A-8801)	436.130	am	(P-15655; C-17418)
125.305	am	(PP-620; W-1574) (P-1583; A-8801)	436.140	am	(E-12944) (P-15655; C-17418)
125.310	am	(PP-620; W-1574) (P-1583; A-8801)	438.30	am	(P-5012; A-11996)
125.320	am	(PP-620; W-1574) (P-1583; A-8801)	438.80	am	(P-6982; A-11996)
125.330	am	(PP-620; W-1574) (P-1583; A-8801)	438.90	am	(P-5012; A-11996)
125.340	am	(PP-620; W-1574) (P-1583; A-8801)	440.10	n	(P-8975/90; A-3492)
125.350	am	(PP-620; W-1574) (P-1583; A-8801)	440.20	n	(P-8975/90; A-3492)
125.360	am	(PP-620; W-1574) (P-1583; A-8801)	440.30	am	(P-8152; A-13936)
125.370	am	(PP-620; W-1574) (P-1583; A-8801)	440.40	n	(P-8975/90; A-3492)
125.380	am	(PP-620; W-1574) (P-1583; A-8801)	440.50	n	(P-8975/90; A-3492)
125.390	am	(PP-620; W-1574) (P-1583; A-8801)	440.60	n	(P-8975/90; A-3492)
125.400	am	(PP-620; W-1574) (P-1583; A-8801)	440.70	n	(P-8975/90; A-3492)
125.410	am	(PP-620; W-1574) (P-1583; A-8801)	440.80	n	(P-8975/90; A-3492)
255.50	am	(E-128)	440.90	am	(P-8152; A-13936)
270.261	am	(P-10965/90; A-455)	440.100	n	(P-8975/90; A-3492)
290.110	am	(P-19087/90; A-5207)	440.110	n	(P-8975/90; A-3492)
			440.120	n	(P-8975/90; A-3492)
			440.130	n	(P-8975/90; A-3492)
			440.140	am	(P-8152; A-13936)
			440.150	n	(P-8975/90; A-3492)
			509.100	am	(P-5614; A-11989)
			720.100	n	(P-19703/90; A-5755)
			1302.100	am	(P-17045)
			1303.70	am	(P-13704)
			1312.265	am	(P-14750/90; A-2727)
			1318.180	n	(P-15388) (E-15610)
			1318.190	n	(P-15388) (E-15610)
			1325.120	am	(P-15694/90; A-5748)
			1408.90	am	(P-16843/90; A-5745)
			1413.48	am	(P-12385/90; A-2730)
			1424.140	n	(P-10691/90; A-20545/90; C-2044)
			1424.355	am	(P-19690/90; W-1173)

TITLE 11

204.20	am	(P11394; W-14149)	175.110	am	(P-14209) (E-14303; C-15182; W-16807) (E-16785)
204.40	am	(P11394; W-14149)	175.110	am	(P-16943)
204.70	am	(P11394; W-14149)	475.110	n	(P-6343)
204.130	am	(P11394; W-14149)	475.210	n	(P-6343)
404.35	n	(P-10348)	475.220	n	(P-6343)
405.170	r	(P-8957/90; A-591)	475.230	n	(P-6343)
405.180	a	(P-8518; A-13933)	475.240	n	(P-6343)
405.250	n	(P-12389/90; A-2733)	475.250	n	(P-6343)
416.80	r	(P-6979; A-11994)	475.260	n	(P-6343)
417.80	r	(P-6988; A-12001)	475.310	n	(P-6343)
418.100	r	(P-6985; A-12003)	475.320	n	(P-6343)
419.90	r	(P-6976; A-11992)	475.330	n	(P-6343)
421.40	am	(P-19699/90; A-5752)	475.340	n	(P-6343)
421.80	am	(P-8150; A-15747)	475.350	n	(P-6343)
421.100	n	(P-19699/90; A-5752)	475.360	n	(P-6343)
433.35	am	(P-12393/90; A-2736)	475.370	n	(P-6343)
436.5	n	(E-12944) (P-15655; C-17418)	475.380	n	(P-6343)
436.10	r	(E-12944) (P-15655; C-17418)	475.390	n	(P-6343)
436.20	am	(E-12944)	475.410	n	(P-6343)
436.30	am	(E-12944)	475.420	n	(P-6343)
436.40	r	(P-15655)	475.510	n	(P-6343)
436.50	r	(E-12944) (P-15655; C-17418)			
436.60	am	(E-12944) (P-15655; C-17418)			
436.70	r	(P-15655; C-17418)			
436.80	am	(P-15655; C-17418)			
436.90	r	(E-12944) (P-15655; C-17418)			
436.100	am	(P-15655; C-17418)			
436.110	am	(E-12944) (P-15655; C-17418)			

TITLE 14 (CONT'D)

545.325	am	(P-6343)	475.520	n	(P-6343)
545.330	am	(P-6343)	475.530	n	(P-6343)
545.345	am	(P-6343)	475.540	n	(P-6343)
545.350	am	(P-6343)	475.550	n	(P-6343)
545.355	am	(P-6343)	475.560	n	(P-6343)
545.360	am	(P-6343)	475.570	n	(P-6343)
550.20	am	(P-6343)	475.580	n	(P-6343)
550.30	am	(P-6343)	475.590	n	(P-6343)
550.35	am	(P-6343)	475.610	n	(P-6343)
550.40	am	(P-6343)	475.620	n	(P-6343)
550.50	am	(P-6343)	475.630	n	(P-6343)
570.10	am	(P-6343)	475.640	n	(P-6343)
570.20	am	(P-6343)	475.710	n	(P-6343)
570.25	am	(P-6343)	475.720	n	(P-6343)
570.30	am	(P-677; A-8848)	510.10	am	(P-677; A-8848)
570.40	am	(P-677; A-8848)	510.20	am	(P-677; A-8848)
570.50	am	(P-677; A-8848)	510.40	am	(P-677; A-8848)
570.60	am	(P-677; A-8848)	510.50	am	(P-677; A-8848)
570.70	am	(P-677; A-8848)	510.60	am	(P-677; A-8848)
640.5	n	(P-677; A-8848)	510.70	am	(P-677; A-8848)
640.10	n	(P-677; A-8848)	510.80	am	(P-677; A-8848)
640.20	n	(A-8848)	510.85	am	(A-8848)
640.30	n	(P-13072/90; A-2673)	510.110	n	(P-13072/90; A-2673)
640.40	n	(P-13072/90; A-2673)	510.120	n	(P-13072/90; A-2673)
640.50	n	(P-13072/90; A-2673)	510.130	n	(P-13072/90; A-2673)
640.60	n	(P-13072/90; A-2673)	510.140	n	(P-13072/90; A-2673)
640.70	n	(P-13072/90; A-2673)	510.150	n	(P-13072/90; A-2673)
640.80	n	(P-13072/90; A-2673)	510.160	n	(P-13072/90; A-2673)
640.90	n	(P-13072/90; A-2673)	510.170	n	(P-13072/90; A-2673)
640.100	n	(P-13072/90; A-2673)	510.175	n	(P-13072/90; A-2673)
640.110	n	(P-13072/90; A-2673)	510.180	n	(P-13072/90; A-2673)
640.120	n	(P-13072/90; A-2673)	510.185	n	(P-13072/90; A-2673)
640.130	n	(P-13072/90; A-2673)	510.190	n	(P-13072/90; A-2673)
640.140	n	(P-13072/90; A-2673)	510.195	n	(P-13072/90; A-2673)
640.150	n	(P-13072/90; A-2673)	510.200	n	(P-13072/90; A-2673)
640.160	n	(P-13072/90; A-2673)	510.205	n	(P-13072/90; A-2673)
640.170	n	(P-13060/90; A-8683)	520.315	n	(P-13060/90; A-8683)
640.180	n	(P-13060/90; A-8683)	520.740	am	(P-13060/90; A-8683)
640.190	n	(P-13060/90; A-8683)	520.800	r	(P-13060/90; A-8683)
640.200	n	(P-13060/90; A-8683)	520.810	r	(P-13060/90; A-8683)
640.210	n	(P-13060/90; A-8683)	520.820	r	(P-13060/90; A-8683)
640.220	n	(P-13060/90; A-8683)	520.830	r	(P-13060/90; A-8683)
640.230	n	(P-9787)	520.900	am	(P-9787)
640.240	n	(P-13060/90; A-8683)	520.910	am	(P-13060/90; A-8683)
640.250	n	(P-9787)	520.930	am	(P-9787)
640.260	n	(P-13060/90; A-8683)	520.1010	am	(P-13060/90; A-8683)
640.270	n	(P-9787)	520.1100	n	(P-9787)
640.280	n	(P-9787)	520.1110	n	(P-9787)
640.290	n	(P-9787)	520.1120	n	(P-9787)
640.300	n	(P-9787)	520.1130	n	(P-9787)
640.310	n	(P-9787)	520.1140	n	(P-9787)
640.320	n	(P-11022/90; A-973)	520.1150	n	(P-11022/90; A-973)
640.330	n	(P-11022/90; A-973)	540.110	n	(P-11022/90; A-973)
640.340	n	(P-11022/90; A-973)	540.120	n	(P-11022/90; A-973)
640.350	n	(P-11022/90; A-973)	540.130	n	(P-11022/90; A-973)
1220.100	n	(P-11022/90; A-973)	540.140	n	(P-11022/90; A-973)
1220.110	n	(P-11022/90; A-973)	540.150	n	(P-11022/90; A-973)
1220.120	n	(P-11022/90; A-973)	540.160	n	(P-11022/90; A-973)
1220.130	n	(P-11022/90; A-973)	540.170	n	(P-11022/90; A-973)
1220.140	n	(P-11022/90; A-973)	540.180	n	(P-11022/90; A-973)
1220.150	n	(P-11022/90; A-973)	540.190	n	(P-11022/90; A-973)
1220.160	n	(P-3620; A-15040)	545.315	am	(P-3620; A-15040)
			545.320	am	(P-3620; A-15040)



TITLE 14 (CONT'D)		TITLE 17 (CONT'D)	
1220.200	(P-8747)	650.23	ann
1220.210	(P-8747)	650.30	ann
1220.220	(P-8747)	650.40	ann
1220.230	(P-8747)	650.60	ann
1220.240	(P-8747)	660.10	n
1220.250	(P-8747)	660.20	ann
1220.300	(P-8747)	660.21	ann
1220.310	(P-8747)	660.22	n
1220.320	(P-8747)	660.23	ann
1220.330	(P-8747)	660.25	n
1220.400	(P-8747)	660.26	ann
1220.410	(P-8747)	660.30	n
1220.500	(P-8747)	660.30	ann
1220.510	(P-8747)	660.40	n
1220.520	(P-8747)	660.40	ann
TITLE 17		660.45	n
110.5	(P-10251; A-14423)	660.50	ann
110.175	(P-10251; A-14423)	660.60	n
115.30	(P-3365; A-9948)	670.10	ann
220.20	(P-16182/90; A-1495)	670.20	ann
220.30	(P-16182/90; A-1495)	670.30	ann
220.40	(P-16182/90; A-1495)	670.40	ann
220.50	(P-16182/90; A-1495)	670.60	ann
220.60	(P-9233; A-14418)	680.10	n
220.70	(P-16182/90; A-1495)	680.20	n
220.80	(P-16182/90; A-1495)	680.30	n
510.10	(P-4829; A-9966)	680.40	n
525.10	(P-18397/90; A-4149)	680.50	ann
525.20	(P-18397/90; A-4149)	680.60	ann
525.30	(P-18397/90; A-4149)	680.70	ann
525.40	(P-15647)	690.20	ann
525.50	(P-18397/90; A-4149)	690.30	ann
525.Ex. A	(P-4805; A-9924)	710.10	ann
530.20	(P-4805; A-9924)	710.20	ann
530.80	(E-16124)	710.21	n
530.90	(P-4805; A-9924)	710.30	ann
530.100	(P-4805; A-9924)	710.50	ann
530.105	(E-16124)	710.60	ann
530.110	(P-4805; A-9924)	715.10	ann
530.120	(P-6823; A-11598)	715.20	ann
550.10	(P-6823; A-11598)	715.30	ann
550.30	(P-6811; A-11586)	715.40	ann
570.20	(P-6811; A-11586)	720.10	ann
570.30	(P-6811; A-11586)	720.30	ann
570.40	(P-7809; A-13293)	720.40	ann
590.10	(E-16745)	730.10	ann
590.20	(P-7809; A-13293)	730.20	ann
590.25	(P-7809; A-13293)	730.30	ann
590.30	(P-7809; A-13293)	740.10	ann
590.40	(P-7809; A-13293)	740.20	ann
590.50	(P-7809; A-13293)	810.30	r
590.60	(E-16745)	810.35	n
590.Ex.A	(P-7809; A-13293)	810.37	n
650.10	(P-4853; A-10038)	810.40	r
650.20	(P-4853; A-10038)	810.45	ann
650.22	(P-4853; A-10038)	810.45	ann

TITLE 14 (CONT'D)		TITLE 17 (CONT'D)	
1220.200	(P-8747)	650.23	ann
1220.210	(P-8747)	650.30	ann
1220.220	(P-8747)	650.40	ann
1220.230	(P-8747)	650.60	ann
1220.240	(P-8747)	660.10	n
1220.250	(P-8747)	660.20	ann
1220.300	(P-8747)	660.21	ann
1220.310	(P-8747)	660.22	n
1220.320	(P-8747)	660.23	ann
1220.330	(P-8747)	660.25	n
1220.400	(P-8747)	660.26	ann
1220.410	(P-8747)	660.30	n
1220.500	(P-8747)	660.30	ann
1220.510	(P-8747)	660.40	n
1220.520	(P-8747)	660.40	ann
TITLE 17		660.45	n
110.5	(P-10251; A-14423)	660.50	ann
110.175	(P-10251; A-14423)	660.60	n
115.30	(P-3365; A-9948)	670.10	ann
220.20	(P-16182/90; A-1495)	670.20	ann
220.30	(P-16182/90; A-1495)	670.30	ann
220.40	(P-16182/90; A-1495)	670.40	ann
220.50	(P-16182/90; A-1495)	670.60	ann
220.60	(P-9233; A-14418)	680.10	n
220.70	(P-16182/90; A-1495)	680.20	n
220.80	(P-16182/90; A-1495)	680.30	n
510.10	(P-4829; A-9966)	680.40	n
525.10	(P-18397/90; A-4149)	680.50	ann
525.20	(P-18397/90; A-4149)	680.60	ann
525.30	(P-18397/90; A-4149)	680.70	ann
525.40	(P-15647)	690.20	ann
525.50	(P-18397/90; A-4149)	690.30	ann
525.Ex. A	(P-4805; A-9924)	710.10	ann
530.20	(P-4805; A-9924)	710.20	ann
530.80	(E-16124)	710.21	n
530.90	(P-4805; A-9924)	710.30	ann
530.100	(P-4805; A-9924)	710.50	ann
530.105	(E-16124)	710.60	ann
530.110	(P-4805; A-9924)	715.10	ann
530.120	(P-6823; A-11598)	715.20	ann
550.10	(P-6823; A-11598)	715.30	ann
550.30	(P-6811; A-11586)	715.40	ann
570.20	(P-6811; A-11586)	720.10	ann
570.30	(P-6811; A-11586)	720.30	ann
570.40	(P-7809; A-13293)	720.40	ann
590.10	(E-16745)	730.10	ann
590.20	(P-7809; A-13293)	730.20	ann
590.25	(P-7809; A-13293)	730.30	ann
590.30	(P-7809; A-13293)	740.10	ann
590.40	(P-7809; A-13293)	740.20	ann
590.50	(P-7809; A-13293)	810.30	r
590.60	(E-16745)	810.35	n
590.Ex.A	(P-7809; A-13293)	810.37	n
650.10	(P-4853; A-10038)	810.40	r
650.20	(P-4853; A-10038)	810.45	ann
650.22	(P-4853; A-10038)	810.45	ann



**TITLE 20 (CONT'D)**

460.60	am	(P-18421/90; A-3479)	225.20
460.70	am	(P-18421/90; A-3479)	225.30
460.80	am	(P-18421/90; A-3479)	225.40
460.90	am	(P-18421/90; A-3479)	225.50
502.20	am	(P-5935; A-11928)	225.60
701.270	am	(P-7861; A-13789)	226.40
1215.10	n	(P-12398/90; A-1107)	226.520
1215.20	n	(P-12398/90; A-1107)	226.525
1215.30	n	(P-12398/90; A-1107)	226.552
1215.40	n	(P-12398/90; A-1107)	226.555
1215.50	n	(P-12398/90; A-1107)	226.560
1225.10	n	(P-16847/90; A-5886)	226.605
1225.20	n	(P-16847/90; A-5886)	226.612
1225.30	n	(P-16847/90; A-5886)	226.615
1225.40	n	(P-16847/90; A-5886)	226.620
1225.50	n	(P-16847/90; A-5886)	226.680
1235.10	n	(P-17566 (E-17785)	226.684
1235.20	n	(P-17566 (E-17785)	226.720
1235.30	n	(P-17566 (E-17785)	226.730
1235.40	n	(P-17566 (E-17785)	250.70
1235.50	n	(P-17566 (E-17785)	350.10
1235.60	n	(P-17566 (E-17785)	350.15
1235.70	n	(P-17566 (E-17785)	350.20
1235.80	n	(P-17566 (E-17785)	350.25
1235.90	n	(P-17566 (E-17785)	350.30
1235.100	n	(P-17566 (E-17785)	1015.10
1235.110	n	(P-17566 (E-17785)	1015.20
1235.120	n	(P-17566 (E-17785)	1015.30
1235.130	n	(P-17566 (E-17785)	1015.40
1560.10	n	(P-8800/90; A-7034)	1015.50
1560.20	n	(P-8800/90; A-7034)	1015.60
1560.30	n	(P-8800/90; A-7034)	1015.70
1560.40	n	(P-8800/90; A-7034)	1501.113
1560.50	n	(P-8800/90; A-7034)	1501.301
1720.15	n	(P-15251)	1501.305
1720.30	am	(P-16198/90; A-999)	1501.508
1720.4pA	am	(P-16198/90; A-999)	1501.509
1800.10	n	(E-8702)	1501.515
1800.20	n	(E-8702)	1501.517
1800.30	n	(E-8702)	1501.601
1.245	n	(P-6931/90; O-21110/90; M-2877; A-2692)	2400.20
25.315	n	(P-10277; A-17048)	2400.30
54.310	am	(P-9237; A-17059)	2400.50
54.320	am	(P-9237; A-17059)	2720.40
54.330	am	(P-9237; A-17059)	2733.20
54.340	am	(P-9237; A-17059)	2733.30
54.350	am	(P-9237; A-17059)	2763.10
54.410	am	(P-9237; A-17059)	2763.20
54.420	am	(P-9237; A-17059)	2763.40
54.430	am	(P-9237; A-17059)	2763.50
54.440	am	(P-9237; A-17059)	2771.10
54.450	am	(P-9237; A-17059)	2771.20
220.10	n	(P-10288; A-17073)	2771.30
220.20	n	(P-10288; A-17073)	2771.4pA
220.30	n	(P-10288; A-17073)	2790.10
220.40	n	(P-10288; A-17073)	2790.20
220.50	n	(P-10288; A-17073)	2790.30
220.60	n	(P-10288; A-17073)	2790.40
220.70	n	(P-10288; A-17073)	2790.50

TITLE 23 (CONT'D)

2790.60	am	(P-5034; A-14264)	330.270
2790.70	am	(P-5034; A-14264)	330.280
2790.80	am	(P-5034; A-14264)	330.310
2790.90	am	(P-5034; A-14264)	330.320
2790.100	am	(P-5034; A-14264)	330.340
2790.110	am	(P-5034; A-14264)	330.400
2790.120	am	(P-5034; A-14264)	330.900
2790.130	am	(P-5034; A-14264)	330.Ap.B
2790.140	n	(P-5034; A-14264)	330.Ap.C
2790.Ap.A	n	(P-5034; A-14264)	330.Ap.D
3030.50	am	(P-15968)	330.Ap.G
3040.100	am	(P-14050)	330.Ap.H
3040.110	am	(P-14050)	331.10
3040.200	am	(P-14050)	331.20
3040.210	am	(P-14050)	331.30
3040.220	am	(P-14050)	331.110
3040.230	am	(P-14050)	331.120
3040.240	am	(P-14050)	331.130
3040.260	am	(P-14050)	331.200
3040.260	am	(P-14050)	331.210
3040.260	am	(P-14050)	331.310
3040.260	am	(P-14050)	331.Ap.B
3040.260	am	(P-14050)	331.Ap.C
3040.260	am	(P-14050)	335.10
3040.260	am	(P-14050)	335.20
3040.260	am	(P-14050)	335.30
3040.260	am	(P-14050)	335.1010
3040.260	am	(P-14050)	335.1020
3040.260	am	(P-14050)	335.1030
3040.260	am	(P-14050)	335.1040
3040.260	am	(P-14050)	335.1060
3040.260	am	(P-14050)	335.1070
3040.260	am	(P-14050)	335.1080
3040.260	am	(P-14050)	335.1090
3040.260	am	(P-14050)	335.2010
3040.260	am	(P-14050)	335.2020
3040.260	am	(P-14050)	335.2030
3040.260	am	(P-14050)	335.2040
3040.260	am	(P-14050)	335.2050
3040.260	am	(P-14050)	335.2060
3040.260	am	(P-14050)	335.2070
3040.260	am	(P-14050)	335.2080
3040.260	am	(P-14050)	335.2090
3040.260	am	(P-14050)	335.2100
3040.260	am	(P-14050)	335.2110
3040.260	am	(P-14050)	335.2120
3040.260	am	(P-14050)	335.2130
3040.260	am	(P-14050)	335.3010
3040.260	am	(P-14050)	335.4010
3040.260	am	(P-14050)	335.4020
3040.260	am	(P-14050)	335.4030
3040.260	am	(P-14050)	335.5010
3040.260	am	(P-14050)	335.5020
3040.260	am	(P-14050)	335.5030
3040.260	am	(P-14050)	335.6010
3040.260	am	(P-14050)	335.7010
3040.260	am	(P-14050)	335.7020
3040.260	am	(P-14050)	335.7030
3040.260	am	(P-14050)	335.7040
3040.260	am	(P-14050)	335.7050
3040.260	am	(P-14050)	335.8010
3040.260	am	(P-14050)	335.8020
3040.260	am	(P-14050)	335.8030
3040.260	am	(P-14050)	335.8040
3040.260	am	(P-14050)	335.8050
3040.260	am	(P-14050)	335.8060
3040.260	am	(P-14050)	335.8070
3040.260	am	(P-14050)	335.8080
3040.260	am	(P-14050)	335.8090
3040.260	am	(P-14050)	335.8100
3040.260	am	(P-14050)	335.8110
3040.260	am	(P-14050)	335.8120
3040.260	am	(P-14050)	335.8130
3040.260	am	(P-14050)	335.8140
3040.260	am	(P-14050)	335.8150
3040.260	am	(P-14050)	335.8160
3040.260	am	(P-14050)	335.8170
3040.260	am	(P-14050)	335.8180
3040.260	am	(P-14050)	335.8190
3040.260	am	(P-14050)	335.8200
3040.260	am	(P-14050)	335.8210
3040.260	am	(P-14050)	335.8220
3040.260	am	(P-14050)	335.8230
3040.260	am	(P-14050)	335.8240
3040.260	am	(P-14050)	335.8250

TITLE 26

100.30	r	(P-5939)	331. Ap.B
125.425	am	(P-5943)	331. Ap.C
207.110	n	(P-16709/90; A-14427)	335.10
207. Ap.B	n	(P-16709/90; A-14427)	335.20
210.10	n	(P-3814/90; A-4450)	335.30
210. Ap.A	n	(P-3814/90; A-4450)	335.1010
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			335.2020
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			335.2080
			335.2090
			335.2100
			335.2110
			335.2120
			335.2130
			335.3010
			335.4010
			335.4020
			335.4030
			335.5010
			335.5020
			335.5030
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			335.8850
			335.8860
			335.8870
			335.88

TITLE 29

700.1	n	(P-17440)	335.1040
700.5	n	(P-17440)	335.1050
700.10	n	(P-17440)	335.1060
700.15	n	(P-17440)	335.1070
700.20	n	(P-17440)	335.1080
700.25	n	(P-17440)	335.1090
700.30	n	(P-17440)	335.1010
700.35	n	(P-17440)	335.2020
700.40	n	(P-17440)	335.2030
700.45	n	(P-17440)	335.2040
700.50	n	(P-17440)	335.2050
700.55	n	(P-17440)	335.2060
700.60	n	(P-17440)	335.2070
700.65	n	(P-17440)	335.2080
700.66	n	(P-17440)	335.2090
700.67	n	(P-17440)	335.2100
700.68	n	(P-17440)	335.2110
700.69	n	(P-17440)	335.2120
700.70	n	(P-17440)	335.2130
700.71	n	(P-17440)	335.3010
700.72	n	(P-17440)	335.3010
700.73	n	(P-17440)	335.4020
700.74	n	(P-17440)	335.4030
700.75	n	(P-17440)	335.5010
700.76	n	(P-17440)	335.5020
700.77	n	(P-17440)	335.5030
700.78	n	(P-17440)	335.6010
700.79	n	(P-17440)	335.7010
700.80	n	(P-17440)	335.7020
700.81	n	(P-17440)	335.7030
700.82	n	(P-17440)	335.7040
700.83	n	(P-17440)	335.7050
700.84	n	(P-17440)	335.8010
700.85	n	(P-17440)	335.8010
700.86	n	(P-17440)	335.8010
700.87	n	(P-17440)	335.8010
700.88	n	(P-17440)	335.8010
700.89	n	(P-17440)	335.8010
700.90	n	(P-17440)	335.8010
700.91	n	(P-17440)	335.8010
700.92	n	(P-17440)	335.8010
700.93	n	(P-17440)	335.8010
700.94	n	(P-17440)	335.8010
700.95	n	(P-17440)	335.8010
700.96	n	(P-17440)	335.8010
700.97	n	(P-17440)	335.8010
700.98	n	(P-17440)	335.8010
700.99	n	(P-17440)	335.8010
701.00	n	(P-17440)	335.8010
701.01	n	(P-17440)	335.8010
701.02	n	(P-17440)	335.8010
701.03	n	(P-17440)	335.8010
701.04	n	(P-17440)	335.8010
701.05	n	(P-17440)	335.8010
701.06	n	(P-17440)	335.8010
701.07	n	(P-17440)	335.8010
701.08	n	(P-17440)	335.8010
701.09	n	(P-17440)	335.8010
701.10	n	(P-17440)	335.8010
701.11	n	(P-17440)	335.8010
701.12	n	(P-17440)	335.8010
701.13	n	(P-17440)	335.8010
701.14	n	(P-17440)	335.8010
701.15	n	(P-17440)	335.8010
701.16	n	(P-17440)	335.8010
701.17	n	(P-17440)	335.8010
701.18	n	(P-17440)	335.8010
701.19	n	(P-17440)	335.8010
701.20	n	(P-17440)	335.8010
701.21	n	(P-17440)	335.8010
701.22	n	(P-17440)	335.8010
701.23	n	(P-17440)	335.8010
701.24	n	(P-17440)	335.8010
701.25	n	(P-17440)	335.8010
701.26	n	(P-17440)	335.8010
701.27	n	(P-17440)	335.8010
701.28	n	(P-17440)	335.8010
701.29	n	(P-17440)	335.8010
701.30	n	(P-17440)	335.8010
701.31	n	(P-17440)	335.8010
701.32	n	(P-17440)	335.8010
701.33	n	(P-17440)	335.8010
701.34	n	(P-17440)	335.8010
701.35	n	(P-17440)	335.8010
701.36	n	(P-17440)	335.8010
701.37	n	(P-17440)	335.8010
701.38	n	(P-17440)	335.8010
701.39	n	(P-17440)	335.8010
701.40	n	(P-17440)	335.8010</

TITLE 32

310.10	am	(P-11450/90; A-10604)	335.2110
310.20	am	(P-11450/90; A-10604)	335.2120
310.30	am	(P-11450/90; A-10604)	335.2130
310.40	am	(P-11450/90; A-10604)	335.2140
310.50	am	(P-11450/90; A-10604)	335.4010
310.80	am	(P-11450/90; A-10604)	335.4020
310.81	n	(P-11450/90; A-10604)	335.4030
310.82	n	(P-11450/90; A-10604)	335.5010
310.90	am	(P-11450/90; A-10604)	335.5020
310.130	am	(P-11450/90; A-10604)	335.5030
310.A <sub>1</sub> C	n	(P-11450/90; A-10604)	335.6010
330.10	am	(P-11471/90; A-10632)	335.7010
330.30	am	(P-11471/90; A-10632)	335.7020
330.200	am	(P-11471/90; A-10632)	335.7030
330.220	am	(P-11471/90; A-10632)	335.7040
330.240	am	(P-11471/90; A-10632)	335.7050
330.250	am	(P-11471/90; A-10632)	335.8010







TITLE 35 (CONT'D)	
218.879	n
218.881	n
218.883	n
218.886	n
218.920	n
218.923	n
218.926	n
218.927	n
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218.Ap. B	n
218.Ap. C	n
218.Ap. D	n
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219.181	n
219.182	n
219.183	n
219.184	n
219.185	n
219.186	n
219.204	n

[illegible]

TITLE_35_(CONTINUED)	
219.581	n
219.582	n
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219.584	n
219.585	n
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220.521	n
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[illegible]















TITLE 38 (CONT'D)[illegible]TITLE 41 (CONT'D)

TITLE 41 (CONT'D)		TITLE 44		TITLE 47	
102.15	n	(P-17442)	250.370	100.10	am
102.20	n	(P-17442)	260.10	100.10	am
102.25	n	(P-17442)	260.15	100.20	am
102.30	n	(P-17442)	260.20	100.30	am
102.35	n	(P-17442)	260.25	100.40	am
102.40	n	(P-17442)	260.30	100.50	am
102.45	n	(P-17442)	260.35	100.85	am
102.50	n	(P-17442)	260.40	100.103	am
102.55	n	(P-17442)	260.45	100.105	am
102.60	n	(P-17442)	260.50	100.106	am
102.65	n	(P-17442)	260.55	100.106	r
102.70	am	(P-17442)	260.60	100.110	am
102.75	am	(P-17442)	260.65	100.111	am
102.80	am	(P-15823)	260.70	100.113	r
102.85	am	(P-15823)	260.75	100.115	am
102.90	am	(P-15823)	260.80	100.117	r
102.100	am	(P-15823)	260.85	100.120	am
120.1010	n	(P-15823)			
120.1020	n	(P-15823)			
120.1030	n	(P-15823)			
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120.1074	n	(P-15823)			
120.1075	n	(P-15823)			
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120.1080	n	(P-15823)			
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120.1091	n	(P-15823)			
120.1092	n	(P-15823)			
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120.1097	n	(P-15823)			
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120.1101	n	(P-15823)			
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120.1104	n	(P-15823)			
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120.1109	n	(P-15823)			
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120.1111	n	(P-15823)			
120.1112	n	(P-15823)			
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120.1114	n	(P-15823)			
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120.1117	n	(P-15823)			
120.1118	n	(P-15823)			
120.1119	n	(P-15823)			
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120.1122	n	(P-15823)			
120.1123	n	(P-15823)			
120.1124	n	(P-15823)			
120.1125	n	(P-15823)			
120.1126	n	(P-15823)			
120.1127	n	(P-15823)			
120.1128	n	(P-15823)			
120.1129	n	(P-15823)			
120.1130	n	(P-15823)			
120.1131	n	(P-15823)			
120.1132	n	(P-15823)			
120.1133	n	(P-15823)			
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120.1176	n	(P-15823)			
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120.1178	n	(P-15823)			
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120.1187	n	(P-15823)			
120.1188	n	(P-15823)			
120.1189	n	(P-15823)			
120.1190	n	(P-15823)			
120.1191	n	(P-15823)			
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120.1205	n	(P-15823)			
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120.1234	n	(P-15823)			
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120.1275	n	(P-15823)			
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120.1278	n	(P-15823)			
120.1279	n	(P-15823)			
120.1280	n	(P-15823)			
120.1281	n	(P-15823)			
120.1282	n	(P-15823)	</		

**TITLE 44**

120.3p.B	n	(P-15823)	4000.30	am
170.310	am	(P-12373/90; A-7042)	4000.60	am
170.800	n	(P-10875)	5030.130	am
170.810	n	(P-10875)	5040.110	am
170.820	n	(P-10875)	5040.350	am

**TITLE 47**

170.850	n	(P-10875)	am
170.860	n	(P-10875)	100.10
170.870	n	(P-10875)	100.20
170.880	n	(P-10875)	100.30
250.10	n	(P-5322/90; A-5656)	am

100.50  
100.85

250.30	n	(P-5322/90; A-5656)	100.103
250.40	n	(P-5322/90; A-5656)	100.105
250.50	n	(P-5322/90; A-5656)	100.106
250.60	n	(P-5322/90; A-5656)	100.106
250.80	n	(P-5322/90; A-5656)	100.110

100 111

am	r	am	am
100.111			
250.85	n	(P-5322/90; A-5656)	
250.93	n	(P-5322/90; A-5656)	
250.97	n	(P-5322/90; A-5656)	
250.201	n	(P-5322/90; A-5656)	
250.210	n	(P-5322/90; A-5656)	
100.115			

100.117  
100.120

100.120	n	(P-5322/90; A-5656)
250.220	n	(P-5322/90; A-5656)
250.230	n	(P-5322/90; A-5656)
250.232	n	(P-5322/90; A-5656)
250.233	n	(P-5322/90; A-5656)
250.250	n	(P-5322/90; A-5656)
250.252	n	(P-5322/90; A-5656)

## II. D E

II. E	n	(P-5322/90; A-5656)
II. F	n	(P-5322/90; A-5656)
100. Ap. D	n	(P-5322/90; A-5656)
100 Ap. E	n	(P-5322/90; A-5656)
100 Ap. E	n	(P-5322/90; A-5656)
100 Ap. F	n	(P-5322/90; A-5656)

100. Ap. F  
110. 10

	n	(P-5322/90; A-5656)	(P-5322/90; A-5656)
250.358	n		
250.360	n		



TITLE 47 (CONT'D)		TITLE 50 (CONT'D)		TITLE 56	
110.30	(P-10985/90; O-19076/90; R-3127; A-4410)	360.507	(P-9260; A-17088)	208.75	(P-14859)
am	am	360.601	(P-9260; A-17088)	208.75	(P-14859)
110.40	(P-10985/90; O-19076/90; R-3127; A-4410)	360.602	(P-9260; A-17088)	208.80	(P-14859)
am	am	360.603	(P-9260; A-17088)	208.81	(P-14859)
110.50	(P-10985/90; O-19076/90; R-3127; A-4410)	360.604	(P-9260; A-17088)	208.81	(P-14859)
am	am	360.605	(P-9260; A-17088)	208.82	(P-14859)
110.60	(P-10985/90; O-19076/90; R-3127; A-4410)	360.606	(P-9260; A-17088)	208.82	(P-14859)
am	am	360.701	(P-9260; A-17088)	208.90	(P-14859)
110.70	(P-10985/90; O-19076/90; R-3127; A-4410)	360.801	(P-9260; A-17088)	208.100	(P-14859)
am	am	360.802	(P-9260; A-17088)	208.101	(P-14859)
110.80	(P-10985/90; O-19076/90; R-3127; A-4410)	360.803	(P-9260; A-17088)	208.102	(P-14859)
am	am	360.901	(P-9260; A-17088)	208.103	(P-14859)
110.90	(P-10985/90; O-19076/90; R-3127; A-4410)	360.902	(P-9260; A-17088)	208.104	(P-14859)
am	am	360.903	(P-9260; A-17088)	208.110	(P-14859)
110.91	(P-10985/90; O-19076/90; R-3127; A-4410)	360.904	(P-9260; A-17088)	208.110	(P-14859)
n	am	360.905	(P-9260; A-17088)	208.110	(P-14859)
110.92	(P-10985/90; O-19076/90; R-3127; A-4410)	360.1101	(P-9260; A-17088)	208.110	(P-14859)
n	am	600.10	(P-11911)	208.102	(P-14859)
110.93	(P-10985/90; O-19076/90; R-3127; A-4410)	600.20	(P-11911)	208.103	(P-14859)
n	am	600.30	(P-11911)	208.104	(P-14859)
110.100	(P-10985/90; O-19076/90; R-3127; A-4410)	600.40	(P-11911)	208.110	(P-14859)
am	am	600.50	(P-11911)	208.110	(P-14859)
110.105	(P-10985/90; O-19076/90; R-3127; A-4410)	600.60	(P-11911)	208.102	(P-14859)
n	am	754	(P-15238/90; A-4458)	208.103	(P-14859)
110.130	(P-10985/90; O-19076/90; R-3127; A-4410)	909.50	(P-8766; A-15665)	208.104	(P-14859)
am	am	918.10	(P-2899; A-11639)	208.105	(P-14859)
120.30	(P-13993)	918.20	(P-2899; A-11639)	208.106	(P-14859)
am	am	918.30	(P-2899; A-11639)	208.107	(P-14859)
120.55	(P-13993)	918.40	(P-2899; A-11639)	208.108	(P-14859)
am	am	918.50	(P-2899; A-11639)	208.109	(P-14859)
120.80	(P-13993)	918.60	(P-2899; A-11639)	208.110	(P-14859)
am	am	918.70	(P-2899; A-11639)	208.111	(P-14859)
120.90	(P-13993)	918.80	(P-2899; A-11639)	208.112	(P-14859)
am	am	918.90	(P-2899; A-11639)	208.113	(P-14859)
120.110	(P-13993)	918.10	(P-2899; A-11639)	208.114	(P-14859)
am	am	918.20	(P-2899; A-11639)	208.115	(P-14859)
120.115	(P-13993)	918.30	(P-2899; A-11639)	208.116	(P-14859)
am	am	918.40	(P-2899; A-11639)	208.117	(P-14859)
120.120	(P-13993)	918.50	(P-2899; A-11639)	208.118	(P-14859)
am	am	918.60	(P-2899; A-11639)	208.119	(P-14859)
120.125	(P-13993)	918.70	(P-2899; A-11639)	208.120	(P-14859)
am	am	918.80	(P-2899; A-11639)	208.121	(P-14859)
120.130	(P-13993)	918.90	(P-2899; A-11639)	208.122	(P-14859)
am	am	919.00	(P-2899; A-11639)	208.123	(P-14859)
120.135	(P-13993)	919.10	(P-2899; A-11639)	208.124	(P-14859)
am	am	919.20	(P-2899; A-11639)	208.125	(P-14859)
120.140	(P-13993)	919.30	(P-2899; A-11639)	208.126	(P-14859)
am	am	919.40	(P-2899; A-11639)	208.127	(P-14859)
120.145	(P-13993)	919.50	(P-2899; A-11639)	208.128	(P-14859)
am	am	919.60	(P-2899; A-11639)	208.129	(P-14859)
120.150	(P-13993)	919.70	(P-2899; A-11639)	208.130	(P-14859)
am	am	919.80	(P-2899; A-11639)	208.131	(P-14859)
120.155	(P-13993)	919.90	(P-2899; A-11639)	208.132	(P-14859)
am	am	919.10	(P-2899; A-11639)	208.133	(P-14859)
120.160	(P-13993)	919.20	(P-2899; A-11639)	208.134	(P-14859)
am	am	919.30	(P-2899; A-11639)	208.135	(P-14859)
120.165	(P-13993)	919.40	(P-2899; A-11639)	208.136	(P-14859)
am	am	919.50	(P-2899; A-11639)	208.137	(P-14859)
120.170	(P-13993)	919.60	(P-2899; A-11639)	208.138	(P-14859)
am	am	919.70	(P-2899; A-11639)	208.139	(P-14859)
120.175	(P-13993)	919.80	(P-2899; A-11639)	208.140	(P-14859)
am	am	919.90	(P-2899; A-11639)	208.141	(P-14859)
120.180	(P-13993)	919.10	(P-2899; A-11639)	208.142	(P-14859)
am	am	919.20	(P-2899; A-11639)	208.143	(P-14859)
120.185	(P-13993)	919.30	(P-2899; A-11639)	208.144	(P-14859)
am	am	919.40	(P-2899; A-11639)	208.145	(P-14859)
120.190	(P-13993)	919.50	(P-2899; A-11639)	208.146	(P-14859)
am	am	919.60	(P-2899; A-11639)	208.147	(P-14859)
120.195	(P-13993)	919.70	(P-2899; A-11639)	208.148	(P-14859)
am	am	919.80	(P-2899; A-11639)	208.149	(P-14859)
120.200	(P-13993)	919.90	(P-2899; A-11639)	208.150	(P-14859)
am	am	920.00	(P-2899; A-11639)	208.151	(P-14859)
120.205	(P-13993)	920.10	(P-2899; A-11639)	208.152	(P-14859)
am	am	920.20	(P-2899; A-11639)	208.153	(P-14859)
120.210	(P-13993)	920.30	(P-2899; A-11639)	208.154	(P-14859)
am	am	920.40	(P-2899; A-11639)	208.155	(P-14859)
120.215	(P-13993)	920.50	(P-2899; A-11639)	208.156	(P-14859)
am	am	920.60	(P-2899; A-11639)	208.157	(P-14859)
120.220	(P-13993)	920.70	(P-2899; A-11639)	208.158	(P-14859)
am	am	920.80	(P-2899; A-11639)	208.159	(P-14859)
120.225	(P-13993)	920.90	(P-2899; A-11639)	208.160	(P-14859)
am	am	921.00	(P-2899; A-11639)	208.161	(P-14859)
120.230	(P-13993)	921.10	(P-2899; A-11639)	208.162	(P-14859)
am	am	921.20	(P-2899; A-11639)	208.163	(P-14859)
120.235	(P-13993)	921.30	(P-2899; A-11639)	208.164	(P-14859)
am	am	921.40	(P-2899; A-11639)	208.165	(P-14859)
120.240	(P-13993)	921.50	(P-2899; A-11639)	208.166	(P-14859)
am	am	921.60	(P-2899; A-11639)	208.167	(P-14859)
120.245	(P-13993)	921.70	(P-2899; A-11639)	208.168	(P-14859)
am	am	921.80	(P-2899; A-11639)	208.169	(P-14859)
120.250	(P-13993)	921.90	(P-2899; A-11639)	208.170	(P-14859)
am	am	922.00	(P-2899; A-11639)	208.171	(P-14859)
120.255	(P-13993)	922.10	(P-2899; A-11639)	208.172	(P-14859)
am	am	922.20	(P-2899; A-11639)	208.173	(P-14859)
120.260	(P-13993)	922.30	(P-2899; A-11639)	208.174	(P-14859)
am	am	922.40	(P-2899; A-11639)	208.175	(P-14859)
120.265	(P-13993)	922.50	(P-2899; A-11639)	208.176	(P-14859)
am	am	922.60	(P-2899; A-11639)	208.177	(P-14859)
120.270	(P-13993)	922.70	(P-2899; A-11639)	208.178	(P-14859)
am	am	922.80	(P-2899; A-11639)	208.179	(P-14859)
120.275	(P-13993)	922.90	(P-2899; A-11639)	208.180	(P-14859)
am	am	923.00	(P-2899; A-11639)	208.181	(P-14859)
120.280	(P-13993)	923.10	(P-2899; A-11639)	208.182	(P-14859)
am	am	923.20	(P-2899; A-11639)	208.183	(P-14859)
120.285	(P-13993)	923.30	(P-2899; A-11639)	208.184	(P-14859)
am	am	923.40	(P-2899; A-11639)	208.185	(P-14859)
120.290	(P-13993)	923.50	(P-2899; A-11639)	208.186	(P-14859)
am	am	923.60	(P-2899; A-11639)	208.187	(P-14859)
120.295	(P-13993)	923.70	(P-2899; A-11639)	208.188	(P-14859)
am	am	923.80	(P-2899; A-11639)	208.189	(P-14859)
120.300	(P-13993)	923.90	(P-2899; A-11639)	208.190	(P-14859)
am	am	924.00	(P-2899; A-11639)	208.191	(P-14859)
120.305	(P-13993)	924.10	(P-2899; A-11639)	208.192	(P-14859)
am	am	924.20	(P-2899; A-11639)	208.193	(P-14859)
120.310	(P-13993)	924.30	(P-2899; A-11639)	208.194	(P-14859)
am	am	924.40	(P-2899; A-11639)	208.195	(P-14859)
120.315	(P-13993)	924.50	(P-2899; A-11639)	208.196	(P-14859)
am	am	924.60	(P-2899; A-11639)	208.197	(P-14859)
120.320	(P-13993)	924.70	(P-2899; A-11639)	208.198	(P-14859)
am	am	924.80	(P-2899; A-11639)	208.199	(P-14859)
120.325	(P-13993)	924.90	(P-2899; A-11639)	208.200	(P-14859)
am	am	925.00	(P-2899; A-11639)	208.201	(P-14859)
120.330	(P-13993)	925.10	(P-2899; A-11639)	208.202	(P-14859)
am	am	925.20	(P-2899; A-11639)	208.203	(P-14859)
120.335	(P-13993)	925.30	(P-2899; A-11639)	208.204	(P-14859)
am	am	925.40	(P-2899; A-11639)	208.205	(P-14859)
120.340	(P-13993)	925.50	(P-2899; A-11639)	208.206	(P-14859)
am	am	925.60	(P-2899; A-11639)	208.207	(P-14859)
120.345	(P-13993)	925.70	(P-2899; A-11639)	208.208	(P-14859)
am	am	925.80	(P-2899; A-11639)	208.209	(P-14859)
120.350	(P-13993)	925.90	(P-2899; A-11639)	208.210	(P-14859)
am	am	926.00	(P-2899; A-11639)	208.211	(P-14859)
120.355	(P-13993)	926.10	(P-2899; A-11639)	208.212	(P-14859)
am	am	926.20	(P-2899; A-11639)	208.213	(P-14859)
120.360	(P-13993)	926.30	(P-2899; A-11639)	208.214	(P-14859)
am	am	926.40	(P-2899; A-11639)	208.215	(P-14859)
120.365	(P-13993)	926.50	(P-2899; A-11639)	208.216	(P-14859)
am	am	926.60	(P-2899; A-11639)	208.217	(P-14859)
120.370	(P-13993)	926.70	(P-2899; A-11639)	208.218	(P-14859)
am	am	926.80	(P-2899; A-11639)	208.219	(P-14859)
120.375	(P-13993)	926.90	(P-2899; A-11639)	208.220	(P-14859)
am	am	927.00	(P-2899; A-11639)	208.221	(P-14859)
120.380	(P-13993)	927.10	(P-2899; A-11639)	208.222	(P-14859)
am	am	927.20	(P-2899; A-11639)	208.223	(P-14859)
120.385	(P-13993)	927.30	(P-2899; A-11639)	208.224	(P-14859)
am	am	927.40	(P-2899; A-11639)	208.225	(P-14859)
120.390	(P-13993)	927.50	(P-2899; A-11639)	208.226	(P-14859)
am	am	927.60	(P-2899; A-11639)	208.227	(P-14859)
120.395	(P-13993)	927.70	(P-2899; A-11639)	208.228	(P-14859)
am	am	927.80	(P-2899; A-11639)	208.229	(P-14859)
120.400	(P-13993)	927.90	(P-2899; A-11639)	208.230	(P-14859)
am	am	928.00	(P-2899; A-11639)	208.231	(P-14859)
120.405	(P-13993)	928.10	(P-2899; A-11639)	208.232	(P-14859)
am	am	928.20	(P-2899; A-11639)	208.233	(P-14859)
120.410	(P-13993)	928.30	(P-2899; A-11639)	208.234	(P-14859)
am	am	928.40	(P-2899; A-11639)	208.235	(P-14859)
120.415	(P-13993)	928.50	(P-2899; A-11639)	208.236	(P-14859)
am	am	928.60	(P-2899; A-11639)	208.237	(P-14859)
120.420					



TITLE 56 (CONT'D)

TITLE 56 (CONT'D)

250.165	(P-15862) (E-16132)	2720.5	(P-14343)	am	117.100	(P-14671/90; A-1511)
250.170	(P-15862) (E-16132)	2720.7	(P-14343)	n	117.110	(P-14671/90; A-1511)
250.175	(P-15862) (E-16132)	2720.10	(P-14343)	am	117.115	(P-14671/90; A-1511)
250.180	(P-15862) (E-16132)	2720.108	(P-14343)	n	117.120	(P-14671/90; A-1511)
250.200	(P-15862) (E-16132)	2720.130	(P-14343)	am	117.125	(P-14671/90; A-1511)
250.200	(P-15862) (E-16132)	2720.215	(P-14343)	am	117.130	(P-14671/90; A-1511)
250.600	(P-15862) (E-16132)	2720.240	(P-14343)	am	117.135	(P-14671/90; A-1511)
250.700	(P-15862) (E-16132)	2720.315	(P-14343)	am	117.140	(P-14671/90; A-1511)
250.705	(P-15862) (E-16132)	2725.105	(P-14014)	am	117.145	(P-14671/90; A-1511)
250.710	(P-15862) (E-16132)	2725.115	(P-14014)	am	117.200	(P-14671/90; A-1511)
250.715	(P-15862) (E-16132)	2725.237	(P-13252)	n	117.205	(P-14671/90; A-1511)
250.805	(P-15862) (E-16132)	2730.150	(P-9817; A-16964)	n	117.210	(P-14671/90; A-1511)
250.820	(P-15862) (E-16132)	2730.155	(P-9817; A-16964)	n	117.215	(P-14671/90; A-1511)
250.825	(P-15862) (E-16132)	2732.125	(P-6382; A-11423)	n	117.220	(P-14671/90; A-1511)
250.855	(P-15862) (E-16132)	2760.110	(P-14023)	am	117.225	(P-14671/90; A-1511)
250.860	(P-15862) (E-16132)	2760.120	(P-14023)	r	117.230	(P-14671/90; A-1511)
250.860	(P-15862) (E-16132)	2760.125	(P-14023)	am	117.235	(P-14671/90; A-1511)
2600.20	(P-691; A-13102) (P-11865)	2760.125	(P-14023)	r	117.240	(P-14671/90; A-1511)
2610.60	(P-16117/90; A-7595)	2760.130	(P-14023)	am	117.300	(P-14671/90; A-1511)
2610.75	(P-11894)	2760.145	(P-14023)	am	117.305	(P-14671/90; A-1511)
2610.100	(P-13074/90; A-10386)	2760.150	(P-14023)	am	117.310	(P-14671/90; A-1511)
2610.110	(P-3641; A-13137)	2765.45	(P-11034)	am	117.315	(P-14671/90; A-1511)
2610.120	(P-3641; A-13137)	2765.325	(P-11034)	am	117.315	(P-14671/90; A-1511)
2610.130	(P-13074/90; A-10386)	2765.328	(P-11034)	n	117.320	(P-14671/90; A-1511)
2610.150	(P-16117/90; A-7595)	2765.325	(P-11034)	am	117.325	(P-14671/90; A-1511)
2610.Ap-A	(P-16117/90; A-7595)	2770.110	(P-15659/90; A-172) (P-13257)	am	117.330	(P-14671/90; A-1511)
2610.Ap-B	(P-16117/90; A-7595)	2770.400	(P-3368; A-8553)	am	117.335	(P-14671/90; A-1511)
2610.11.A	(P-16117/90; A-7595)	2770.405	(P-3368; A-8553)	am	117.340	(P-14671/90; A-1511)
2620.10	(P-12964)	2770.415	(P-3368; A-8553)	am	117.340	(P-14671/90; A-1511)
2620.20	(P-12964)	2770.420	(P-3368; A-8553)	r	117.345	(P-14671/90; A-1511)
2620.30	(P-12964)	2815.105	(P-1752/90; A-1817)	am	117.350	(P-14671/90; A-1511)
2620.40	(P-12964)	2830.50	(P-10871; A-16960)	n	117.350	(P-14671/90; A-1511)
2620.50	(P-12964)	2875.1	(P-4555; A-10414)	r	117.Ap-A	(P-14671/90; A-1511)
2620.60	(P-12964)	2875.5	(P-4555; A-10414)	r	117.II.A	(P-14671/90; A-1511)
2620.70	(P-12964)	2875.10	(P-4555; A-10414)	r	117.II.B	(P-14671/90; A-1511)
2620.80	(P-12964)	2875.15	(P-4555; A-10414)	r	117.Ap.B	(P-14671/90; A-1511)
2620.90	(P-12964)	2875.20	(P-4555; A-10414)	r	117.II.A	(P-14671/90; A-1511)
2620.100	(P-13045/90; A-13068)	2875.25	(P-4555; A-10414)	r	117.II.B	(P-14671/90; A-1511)
2625.25	(P-13045/90; A-13068)	2875.30	(P-4555; A-10414)	am	130.10	(P-17744/90; A-8882)
2625.30	(P-13045/90; A-13068)	2875.35	(P-4555; A-10414)	am	130.11	(P-17744/90; A-8882)
2625.40	(P-13045/90; A-13068)	2875.40	(P-4555; A-10414)	am	130.11	(P-17744/90; A-8882)
2625.50	(P-13045/90; A-13068)	2875.45	(P-4555; A-10414)	r	130.15	(P-17744/90; A-8882)
2625.55	(P-19495/90; RC-11532; A-13092)	2875.50	(P-4555; A-10414)	am	130.20	(P-17744/90; A-8882)
2625.60	(P-13045/90; A-13068)	2875.55	(P-4555; A-10414)	am	130.30	(P-17744/90; A-8882)
2625.70	(P-13045/90; A-13068)	2875.60	(P-4555; A-10414)	am	130.40	(P-17744/90; A-8882)
2625.80	(P-13045/90; A-13068)	2920.1	(P-5495; A-11416)	am	130.51	(P-17744/90; A-8882)
2630.5	(P-17407/90; RC-14321; A-16032)	2920.48	(P-5495; A-11416)	am	130.60	(P-17744/90; A-8882)
2630.82	(P-8081) (P-11545)	2920.66	(P-5495; A-11416)	am	130.70	(P-17744/90; A-8882)
2630.101	(P-17407/90; RC-14321; A-16032)	5300.10	(P-10521)	am	130.80	(P-17744/90; A-8882)
2630.102	(P-17407/90; RC-14321; A-16032)	5300.20	(P-10521)	r	130.80	(P-17744/90; A-8882)
2630.104	(P-17407/90; RC-14321; A-16032)	5300.30	(P-10521)	am	130.90	(P-17744/90; A-8882)
2630.105	(P-17407/90; RC-14321; A-16032)	5300.40	(P-10521)	am	130.100	(P-17744/90; A-8882)
2630.120	(P-17407/90; RC-14321; A-16032)	5300.210	(P-10521)	n	130.105	(P-17744/90; A-8882)
2630.120	(P-17407/90; RC-14321; A-16032)	5300.310	(P-10521)	am		
2630.120	(P-17407/90; RC-14321; A-16032)	5300.450	(P-10521)	n		
2630.120	(P-17407/90; RC-14321; A-16032)	5300.460	(P-10521)	n		
2650.50	(P-19503/90; W-3602) (P-14343)	5300.550	(P-10521)	am		
2720.1	(P-14343)	5300.560	(P-10521)	am		
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TITLE 77 (CONT'D)		
790.2617	am	(P-1845790; A-6566)
790.2618	am	(P-1845790; A-6566) (P-3417; A-11791) (E-3537) (P-11070; E-11194)
790.2645	n	(P-1845790; A-6566)
790.2655	am	(P-1845790; A-6566)
790.2660	r	(P-11070; E-11194)
790.2661	am	(P-1845790; A-6566)
790.2662	am	(P-11070; E-11194)
790.2740	am	(P-1845790; A-6566)
790.2805	am	(P-11070; E-11194)
790.2820	am	(P-15943) (E-16484)
790.2902	am	(P-3417; A-11791) (E-3537)
790.2908	r	(P-11070; E-11194)
790.3020	am	(P-3417; A-11791) (E-3537)
790.3027	am	(P-11070; E-11194)
790.3060	am	(P-15943) (E-16484)
790.3140	am	(P-3417; A-11791) (E-3537)
790.3220	am	(P-1845790; A-6566)
790.3308	n	(P-11070; E-11194)
790.3315	am	(P-3417; A-11791) (E-3537)
790.3335	am	(P-11070; E-11194)
790.3340	am	(P-1845790; A-6566)
790.3350	am	(P-11070; E-11194)
790.3420	am	(P-1845790; A-6566)
790.3488	n	(P-11070; E-11194)
790.3540	am	(P-3417; A-11791) (E-3537)
790.3620	am	(P-11070; E-11194)
790.3720	am	(P-11070; E-11194)
790.3907	am	(P-11070; E-11194)
790.3910	am	(P-11070; E-11194)
790.3914	am	(P-15943) (E-16484)
790.3940	am	(P-3417; A-11791) (E-3537)
790.3945	am	(P-11070; E-11194)
790.4040	am	(P-15943) (E-16484)
790.4060	am	(P-3417; A-11791) (E-3537)
790.4140	am	(P-11070; E-11194)
790.4140	am	(P-1845790; A-6566)
790.4385	n	(P-11070; E-11194)
790.4420	am	(P-3417; A-11791) (E-3537)
790.4495	n	(P-3417; EA-11791) (E-3537)
790.4580	am	(P-3417; A-11791) (E-3537)
790.4660	am	(P-3417; A-11791) (E-3537)
790.4667	am	(P-11070; E-11194)
790.4720	am	(P-1845790; A-6566)
790.4725	am	(P-11070; E-11194)
790.4728	am	(P-1845790; A-6566)
790.4740	am	(P-3417; A-11791) (E-3537)
790.4940	am	(P-11070; E-11194)
790.5030	n	(P-11070; E-11194)
790.5180	am	(P-15943) (E-16484)

TITLE 77 (CONT'D)		920.Tb. B	920.Tb. B
790.9048	am	(P-1845790; A-6566) (P-11070; E-11194)	am
790.9050	am	(P-15943) (E-16484)	n
790.9056	am	(P-3417; A-11791) (E-3537)	am
790.9084	am	(P-11070; E-11194)	am
790.9100	am	(P-11070; E-11194)	am
790.9220	am	(P-15943) (E-16484)	am
790.9320	r	(P-3417; A-11791) (E-3537)	am
790.9420	am	(P-11070; E-11194)	am
790.9460	am	(P-3417; A-11791) (E-3537)	am
790.9500	am	(P-11070; E-11194)	am
790.9580	am	(P-3417; A-11791) (E-3537)	am
895.10	am	(P-5005)	am
895.20	am	(P-5005)	am
895.30	am	(P-5005)	am
895.40	am	(P-5005)	am
895.50	am	(P-5005)	am
905.10	am	(P-16305/90; W-13202)	am
905.15	am	(P-16305/90; W-13202)	am
905.20	am	(P-16305/90; W-13202)	am
905.30	am	(P-16305/90; W-13202)	am
905.40	am	(P-16305/90; W-13202)	am
905.50	am	(P-16305/90; W-13202)	am
905.55	am	(P-16305/90; W-13202)	am
905.60	am	(P-16305/90; W-13202)	am
905.70	am	(P-16305/90; W-13202)	am
905.80	am	(P-16305/90; W-13202)	n
905.90	am	(P-16305/90; W-13202)	n
905.100	am	(P-16305/90; W-13202)	r
905.110	am	(P-16305/90; W-13202)	am
905.120	am	(P-16305/90; W-13202)	am
905.125	am	(P-16305/90; W-13202)	am
905.130	am	(P-16305/90; W-13202)	am
905.140	am	(P-16305/90; W-13202)	n
905.150	am	(P-16305/90; W-13202)	am
905.160	am	(P-16305/90; W-13202)	am
905.170	am	(P-16305/90; W-13202)	m
905.180	am	(P-16305/90; W-13202)	m
905.190	am	(P-16305/90; W-13202)	am
905.200	am	(P-16305/90; W-13202)	am
905.210	am	(P-16305/90; W-13202)	am
905.Ap.A	am	(P-16305/90; W-13202)	am
905.Ap.B	am	(P-16305/90; W-13202)	m
920.10	am	(P-6460)	am
920.15	am	(P-6460)	am
920.20	am	(P-6460)	am
920.30	am	(P-6460)	am
920.40	am	(P-6460)	am
920.50	am	(P-6460)	am
920.60	am	(P-6460)	am
920.70	am	(P-6460)	am
920.80	am	(P-6460)	am
920.90	am	(P-6460)	am
920.100	am	(P-6460)	am
920.110	am	(P-6460)	am
920.120	am	(P-6460)	am
920.130	am	(P-6460)	am
920.170	n	(P-6460)	n
920.180	n	(P-6460)	n
920.Tb.A	am	(P-6460)	n
920.Tb.B	am	(P-6460)	n







**TITLE 80**

150.430	am	(P-5200; A-11007)	2800.240	am	(P-12963) (E-13196; O-16523)
302.600	am	(P-11859)	2800.650	n	(P-15199)
303.102	am	(P-4801; A-14067) (E-5076)	<b>TITLE 83</b>		
303.125	am	(P-17399/90; A-5214)	220.5	am	(P-15653/90; A-5056)
303.290	am	(P-4801; A-14067) (E-5076)	220.10	am	(P-15653/90; A-5056)
303.380	n	(P-4801; A-14067) (E-5076)	220.20	am	(P-15653/90; A-5056)
310.30	am	(P-4497; A-11080)	220.30	am	(P-15653/90; A-5056)
310.40	am	(P-4497; A-11080)	220.40	am	(P-15653/90; A-5056)
310.100	am	(P-6364; A-14210)	220.50	am	(P-15653/90; A-5056)
310.110	am	(P-12051)	280.100	am	(P-9801)
310.130	am	(P-12051)	285.210	am	(P-9807; A-16050)
310.230	am	(P-14657/90; A-3296) (P-6364; A-14210)	305.20	am	(P-16538)
310.280	am	(P-4497; A-11080) (P-12051)	315.10	am	(P-13585)
310.290	am	(P-4497; A-11080) (P-12051)	315.20	am	(P-13585)
310.320	am	(P-4497; A-11080)	315.30	am	(P-13585)
310.340	am	(P-5147; A-13080) (E-10485)	315.40	am	(P-13585)
310.450	am	(P-5147; A-13080) (E-10485)	315.50	n	(P-13585)
310.490	am	(P-6364; A-14210)	315.60	n	(P-13585)
310.530	am	(P-5147; A-13080) (E-10485)	410.360	r	(P-5147; A-13080) (E-10485)
310.540	am	(P-5147; A-13080) (E-10485)	445.40	am	(P-5147; A-13080) (E-10485)
310.540	am	(PP-663) (P-14657/90; A-3296)	445.50	am	(PP-663) (P-14657/90; A-3296)
310.540	am	(P-4497; W-5920) (PP-5465)	445.70	am	(P-4497; W-5920) (PP-5465)
Tb. A	am	(P-4497; W-5920) (PP-5465)	500.335	r	(P-4497; W-5920) (PP-5465)
Tb. B	am	(C-11537)	710.1	am	(C-11537)
Tb. C	am	(P-4497; W-5920) (PP-5465)	710.1000	am	(P-4497; W-5920) (PP-5465)
Tb. D	am	(P-12051) (C-11537)	730.100	am	(P-12051) (C-11537)
Tb. E	am	(P-4497)	730.101	n	(P-4497)
Tb. F	am	(P-14657/90; A-3296) (P-4497; A-11080)	730.102	r	(P-14657/90; A-3296) (P-4497; A-11080)
Tb. G	am	(P-14657/90; A-3296) (P-4497; A-11080)	730.103	r	(P-14657/90; A-3296) (P-4497; A-11080)
Tb. H	am	(P-14657/90; A-3296) (P-4497; A-11080)	730.105	n	(P-14657/90; A-3296) (P-4497; A-11080)
Tb. I	am	(P-14657/90; A-3296) (P-4497; A-11080)	730.200	n	(P-14657/90; A-3296) (P-4497; A-11080)
Tb. J	am	(P-14657/90; A-3296) (P-4497; A-11080)	730.201	n	(P-14657/90; A-3296) (P-4497; A-11080)
Tb. K	am	(P-14657/90; A-3296) (P-4497; A-11080)	730.202	r	(P-14657/90; A-3296) (P-4497; A-11080)
Tb. L	am	(P-14657/90; A-3296) (P-4497; A-11080)	730.203	r	(P-14657/90; A-3296) (P-4497; A-11080)
Tb. M	am	(PP-663) (P-4497; A-11080)	730.300	n	(PP-663) (P-4497; A-11080)
Tb. N	am	(PP-5100)	730.300	n	(PP-5100)
Tb. O	am	(P-4497; A-11080)	730.305	n	(P-4497; A-11080)
Tb. P	am	(P-15186/90; A-4401) (P-5147; A-13080) (E-10485)	730.310	n	(P-15186/90; A-4401) (P-5147; A-13080) (E-10485)
Tb. Q	am	(P-5147; A-13080) (E-10485)	730.315	n	(P-5147; A-13080) (E-10485)
Tb. R	am	(P-18712/90; A-7379)	730.320	n	(P-18712/90; A-7379)
Tb. S	am	(P-10574; A-16731)	730.325	n	(P-10574; A-16731)
Tb. T	am	(P-10574; A-16731)	730.330	n	(P-10574; A-16731)
Tb. U	am	(P-10574; A-16731)	730.335	n	(P-10574; A-16731)
Tb. V	am	(P-10574; A-16731)	730.400	n	(P-10574; A-16731)
Tb. W	am	(P-10574; A-16731)	730.401	n	(P-10574; A-16731)
Tb. X	am	(P-10574; A-16731)	730.402	r	(P-10574; A-16731)
Tb. Y	am	(P-10574; A-16731)	730.403	r	(P-10574; A-16731)
Tb. Z	am	(P-10574; A-16731)	730.404	r	(P-10574; A-16731)
Tb. AA	am	(P-10574; A-16731)	730.405	r	(P-10574; A-16731)
Tb. AB	am	(P-10574; A-16731)	730.406	r	(P-10574; A-16731)
Tb. AC	am	(P-12064)	730.407	r	(P-12064)
Tb. AD	am	(P-12064)	730.408	r	(P-12064)
Tb. AE	am	(P-12064)	730.409	r	(P-12064)
Tb. AF	am	(P-12064)	730.410	r	(P-12064)
Tb. AG	am	(P-12064)	730.411	r	(P-12064)
Tb. AH	am	(P-12064)	730.415	n	(P-12064)
Tb. AI	am	(P-12064)	730.420	n	(P-12064)
Tb. AJ	am	(P-12064)	730.425	n	(P-12064)
Tb. AK	am	(P-12064)	730.430	n	(P-12064)
Tb. AL	am	(P-12064)	730.435	n	(P-12064)
Tb. AM	am	(P-12064)	730.440	n	(P-12064)
Tb. AN	am	(P-12064)	730.445	n	(P-12064)
Tb. AO	am	(P-12064)	730.450	n	(P-12064)

**TITLE 83 (CONT'D)**

730.500	n	(P-1627; A-16060)	757.110	r	(P-4803; A-11926) (E-5082)
730.501	r	(P-1650; A-16082)	757.115	r	(P-4803; A-11926) (E-5082)
730.502	r	(P-1650; A-16082)	757.120	r	(P-4803; A-11926) (E-5082)
730.503	r	(P-1650; A-16082)	757.200	r	(P-4803; A-11926) (E-5082)
730.504	r	(P-1650; A-16082)	757.205	r	(P-4803; A-11926) (E-5082)
730.505	n	(P-1627; A-16060)	757.300	r	(P-4803; A-11926) (E-5082)
730.505	n	(P-1627; A-16060)	757.310	r	(P-4803; A-11926) (E-5082)
730.505	r	(P-1650; A-16082)	757.320	r	(P-4803; A-11926) (E-5082)
730.506	r	(P-1650; A-16082)	757.330	r	(P-4803; A-11926) (E-5082)
730.507	r	(P-1650; A-16082)	757.340	r	(P-4803; A-11926) (E-5082)
730.508	r	(P-1650; A-16082)	757.350	r	(P-4803; A-11926) (E-5082)
730.509	r	(P-1650; A-16082)	757.400	r	(P-4803; A-11926) (E-5082)
730.510	n	(P-1627; A-16060)	757.410	r	(P-4803; A-11926) (E-5082)
730.510	r	(P-1650; A-16082)	757.420	r	(P-4803; A-11926) (E-5082)
730.511	r	(P-1650; A-16082)	757.430	r	(P-4803; A-11926) (E-5082)
730.515	n	(P-1627; A-16060)	757.440	r	(P-4803; A-11926) (E-5082)
730.520	n	(P-1627; A-16060)	757.450	r	(P-4803; A-11926) (E-5082)
730.525	n	(P-1627; A-16060)	757.460	r	(P-4803; A-11926) (E-5082)
730.530	n	(P-1627; A-16060)	757.470	r	(P-4803; A-11926) (E-5082)
730.535	n	(P-1627; A-16060)	757.480	r	(P-4803; A-11926) (E-5082)
730.540	n	(P-1627; A-16060)	757.490	r	(P-4803; A-11926) (E-5082)
730.600	n	(P-1627; A-16060)	757.500	r	(P-4803; A-11926) (E-5082)
730.601	n	(P-1627; A-16060)	757.510	r	(P-4803; A-11926) (E-5082)
730.602	r	(P-1650; A-16082)	757.520	r	(P-4803; A-11926) (E-5082)
730.603	r	(P-1650; A-16082)	757.530	r	(P-4803; A-11926) (E-5082)
730.604	r	(P-1650; A-16082)	757.540	r	(P-4803; A-11926) (E-5082)
730.605	n	(P-1627; A-16060)	757.550	r	(P-4803; A-11926) (E-5082)
730.606	r	(P-1650; A-16082)	757.560	r	(P-4803; A-11926) (E-5082)
730.607	r	(P-1650; A-16082)	757.570	r	(P-4803; A-11926) (E-5082)
730.608	r	(P-1650; A-16082)	757.580	r	(P-4803; A-11926) (E-5082)
730.609	r	(P-1650; A-16082)	757.590	r	(P-4803; A-11926) (E-5082)
730.610	r	(P-1650; A-16082)	757.600	r	(P-4803; A-11926) (E-5082)
730.611	r	(P-1650; A-16082)	757.610	r	(P-4803; A-11926) (E-5082)
730.700	n	(P-1627; A-16060)	757.620	r	(P-4803; A-11926) (E-5082)
730.701	n	(P-1627; A-16060)	757.630	r	(P-4803; A-11926) (E-5082)
730.702	r	(P-1650; A-16082)	757.640	r	(P-4803; A-11926) (E-5082)
730.703	r	(P-1650; A-16082)	757.650	r	(P-4803; A-11926) (E-5082)
730.705	n	(P-1627; A-16060)	757.660	r	(P-4803; A-11926) (E-5082)
730.710	n	(P-1627; A-16060)	757.670	r	(P-4803; A-11926) (E-5082)
730.715	n	(P-1627; A-16060)	757.680	r	(P-4803; A-11926) (E-5082)
730.720	n	(P-1627; A-16060)	757.690	r	(P-4803; A-11926) (E-5082)
730.725	n	(P-1627; A-16060)	757.700	r	(P-4803; A-11926) (E-5082)
730.801	r	(P-1650; A-16082)	757.710	r	(P-4803; A-11926) (E-5082)
730.802	r	(P-1650; A-16082)	757.720	r	(P-4803; A-11926) (E-5082)
730.803	r	(P-1650; A-16082)	757.730	r	(P-4803; A-11926) (E-5082)
730.804	r	(P-1650; A-16082)	757.740	r	(P-4803; A-11926) (E-5082)
730.805	r	(P-1650; A-16082)	757.750	r	(P-4803; A-11926) (E-5082)
730.805	r	(P-1650; A-16082)	757.760	r	(P-4803; A-11926) (E-5082)
730.810	r	(P-1650; A-16082)	757.770	r	(P-4803; A-11926) (E-5082)
730.815	r	(P-1650; A-16082)	757.780	r	(P-4803; A-11926) (E-5082)
730.820	r	(P-1650; A-16082)	757.790	r	(P-4803; A-11926) (E-5082)
730.825	r	(P-1650; A-16082)	757.800	r	(P-4803; A-11926) (E-5082)
730.830	r	(P-1650; A-16082)	757.810	r	(P-4803; A-11926) (E-5082)
730.835	r	(P-1650; A-16082)	757.820	r	(P-4803; A-11926) (E-5082)
730.840	r	(P-1650; A-16082)	757.830	r	(P-4803; A-11926) (E-5082)
730.845	r	(P-1650; A-16082)	757.840	r	(P-4803; A-11926) (E-5082)
730.850	r	(P-1650; A-16082)	757.850	r	(P-4803; A-11926) (E-5082)
730.855	r	(P-1650; A-16082)	757.860	r	(P-4803; A-11926) (E-5082)
730.860	r	(P-1650; A-16082)	757.870	r	(P-4803; A-11926) (E-5082)
730.865	r	(P-1650; A-16082)	757.880	r	(P-4803; A-11926) (E-5082)
730.870	r	(P-1650; A-16082)	757.890	r	(P-4803; A-11926) (E-5082)
730.875	r	(P-1650; A-16082)	757.900	r	(P-4803; A-11926) (E-5082)
730.880	r	(P-1650; A-16082)	757.910	r	(P-4803; A-11926) (E-5082)
730.885	r	(P-1650; A-16082)	757.920	r	(P-4803; A-11926) (E-5082)
730.890	r	(P-1650; A-16082)	757.930	r	(P-4803; A-11926) (E-5082)
730.895	r	(P-1650; A-16082)	757.940	r	(P-4803; A-11926) (E-5082)
730.900	r	(P-1650; A-16082)	757.950	r	(P-4803; A-11926) (E-5082)
730.905	r	(P-1650; A-16082)	757.960	r	(P-4803; A-11926) (E-5082)
730.910	r	(P-1650; A-16082)	757.970	r	(P-4803; A-11926) (E-5082)
730.915	r	(P-1650; A-16082)	757.980	r	(P-4803; A-11926) (E-5082)
730.920	r	(P-1650; A-16082)	757.990	r	(P-4803; A-11926) (E-5082)
730.925	r	(P-1650; A-16082)	757.100	r	(P-4803; A-11926) (E-5082)
730.930	r	(P-1650; A-16082)	757.105	r	(P-4803; A-11926) (E-5082)
730.935	r	(P-1650; A-16082)	757.110	r	(P-4803; A-11926) (E-5082)
730.940	r	(P-1650; A-16082)	757.115	r	(P-4803; A-11926) (E-5082)
730.945	r	(P-1650; A-16082)	757.120	r	(P-4803; A-11926) (E-5082)
730.950	r	(P-1650; A-16082)	757.125	r	(P-4803; A-11926) (E-5082)
730.955	r	(P-1650; A-16082)	757.130	r	(P-4803; A-11926) (E-5082)
730.960	r	(P-1650; A-16082)	757.135	r	(P-4803; A-11926) (E-







TITLE 86 (CONT'D)					
3000.150	n	(P-433; W-11342) (P-11075; E-11252)	3000.755	n	(P-11075; E-11252)
3000.155	n	(P-11075; E-11252)	3000.760	n	(P-11075; E-11252)
3000.160	n	(P-433; W-11342) (P-11075; E-11252)	3000.765	n	(P-11075; E-11252)
3000.161	n	(P-11075; E-11252)	3000.770	n	(P-11075; E-11252)
3000.165	n	(P-11075; E-11252)	3000.800	n	(P-11075; E-11252)
3000.170	n	(P-433; W-11342) (P-11075; E-11252)	3000.810	n	(P-11075; E-11252)
3000.180	n	(P-11075; E-11252)	3000.820	n	(P-11075; E-11252)
3000.200	n	(P-433; W-11342) (P-11075; E-11252)	3000.830	n	(P-11075; E-11252)
3000.210	n	(P-433; W-11342) (P-11075; E-11252)	3000.840	n	(P-11075; E-11252)
3000.220	n	(P-433; W-11342) (P-11075; E-11252)	3000.900	n	(P-11075; E-11252)
3000.230	n	(P-433; W-11342) (P-11075; E-11252)	3000.910	n	(P-11075; E-11252)
3000.235	n	(P-11075; E-11252)	3000.920	n	(P-11075; E-11252)
3000.240	n	(P-433; W-11342) (P-11075; E-11252)	3000.930	n	(P-11075; E-11252)
3000.245	n	(P-11075; E-11252)	3000.940	n	(P-11075; E-11252)
3000.250	n	(P-433; W-11342) (P-11075; E-11252)	3000.950	n	(P-11075; E-11252)
3000.260	n	(P-433; W-11342) (P-11075; E-11252)	3000.960	n	(P-11075; E-11252)
3000.270	n	(P-11075; E-11252)	3000.1000	n	(P-11075; E-11252)
3000.280	n	(P-11075; E-11252)	3000.1010	n	(P-11075; E-11252)
3000.281	n	(P-11075; E-11252)	3000.1020	n	(P-11075; E-11252)
3000.282	n	(P-11075; E-11252)	3000.1030	n	(P-11075; E-11252)
3000.283	n	(P-11075; E-11252)	3000.1100	n	(P-11075; E-11252)
3000.300	n	(P-11075; E-11252)	3000.1110	n	(P-11075; E-11252)
3000.310	n	(P-11075; E-11252)	3000.1120	n	(P-11075; E-11252)
3000.320	n	(P-11075; E-11252)	3000.1130	n	(P-11075; E-11252)
3000.330	n	(P-11075; E-11252)	3000.1140	n	(P-11075; E-11252)
3000.340	n	(P-11075; E-11252)	3000.1150	n	(P-11075; E-11252)
3000.350	n	(P-11075; E-11252)	3000.1160	n	(P-11075; E-11252)
3000.400	n	(P-433; W-11342) (P-11075; E-11252)	3000.1170	n	(P-11075; E-11252)
3000.405	n	(P-11075; E-11252)	3000.1171	n	(P-11075; E-11252)
3000.410	n	(P-433; W-11342) (P-11075; E-11252)	3000.1172	n	(P-11075; E-11252)
3000.415	n	(P-11075; E-11252)	TITLE 89		
3000.420	n	(P-11075; E-11252)	102.70	am	(P-409; A-7202)
3000.425	n	(P-11075; E-11252)	102.81	am	(P-409; A-7202)
3000.430	n	(P-11075; E-11252)	104.45	am	(P-18705/90; A-5320)
3000.435	n	(P-11075; E-11252)	104.250	am	(P-15; A-6557)
3000.440	n	(P-11075; E-11252)	104.272	am	(P-15; A-6557)
3000.500	n	(P-11075; E-11252)	104.304	am	(P-15; A-6557)
3000.600	n	(P-433; W-11342) (P-11075; E-11252)	104.330	am	(P-15; A-6557)
3000.610	n	(P-11075; E-11252)	110.10	am	(P-16845)
3000.700	n	(P-11075; E-11252)	111.101	am	(P-17762/90; A-1029)
3000.710	n	(P-11075; E-11252)	112.9	am	(P-16851)
3000.715	n	(P-11075; E-11252)	112.64	am	(P-371; A-5684)
3000.716	n	(P-11075; E-11252)	112.70	am	(P-19568/90; A-5275)
3000.720	n	(P-11075; E-11252)	112.78	am	(P-2521; A-11447)
3000.725	n	(P-11075; E-11252)	112.80	am	(P-2521; A-11447)
3000.730	n	(P-11075; E-11252)	112.79	am	(P-2521; A-11447)
3000.735	n	(P-11075; E-11252)	112.82	am	(P-2521; A-11447)
3000.740	n	(P-11075; E-11252)	112.101	am	(P-2521; A-11447) (E-2862)
3000.745	n	(P-11075; E-11252)	112.110	am	(P-8785; A-14227)
3000.750	n	(P-11075; E-11252)	112.130	am	(P-5502; A-11127) (P-16596)
3000.710	n	(P-11075; E-11252)	112.131	am	(P-8785; A-14227)
3000.715	n	(P-11075; E-11252)	112.151	am	(P-10564)
3000.716	n	(P-11075; E-11252)	112.340	am	(P-5502; 11127)
3000.720	n	(P-11075; E-11252)	113.9	am	(P-157; A-5275) (E-338)
3000.725	n	(P-11075; E-11252)	113.40	am	(P-16596)
3000.730	n	(P-11075; E-11252)	113.50	am	(P-384; A-5698)
3000.735	n	(P-11075; E-11252)	113.108	r	(P-14994) (E-15119)
3000.740	n	(P-11075; E-11252)	113.109	r	(P-14994) (E-15119)
3000.745	n	(P-11075; E-11252)	113.110	r	(P-16610)
3000.750	n	(P-11075; E-11252)	113.113	r	(P-16610)

[illegible]



140.11	(P-6949)	n	(P-19592/90; A-10114)
140.16	(P-847; A-8264)	n	(P-19592/90; A-10114)
140.17	(P-18982/90; A-10468)	n	(P-14317/90; A-298)
140.71	(P-20170/90; A-17733)	am	(P-1414; A-8972)
140.94	(P-15933) (E-16366)	am	(P-12171)
140.95	(P-15933) (E-16366)	am	(P-12171)
140.400	(P-12171)	n	(P-19592/90; A-10114)
140.413	(P-406; A-8264) (E-592)	n	(P-19592/90; A-10114)
140.420	(P-1414; A-8972)	n	(E-11515)
140.421	(P-1414; A-8972)	n	(E-11515)
140.425	(P-12171)	r	(P-12132) (E-12795)
140.426	(P-12171)	r	(P-12132) (E-12795)
140.428	(P-12171)	r	(P-12132) (E-12795)
140.440	(P-12171) (E-12919)	r	(P-12132) (E-12795)
140.441	(P-12171) (E-12919)	r	(P-12132) (E-12795)
140.442	(P-12171) (E-12919)	r	(P-12132) (E-12795)
140.449	(P-12171) (E-12919)	r	(P-12132) (E-12795)
140.457	(P-20170/90; A-6220)	r	(P-12132) (E-12795)
140.458	(P-20170/90; A-6220)	r	(P-12132) (E-12795)
140.459	(P-20170/90; A-6220)	r	(P-12132) (E-12795)
140.460	(P-4903)	am	(P-831; A-7117) (E-1121)
140.461	(P-4903)	am	(P-12132) (E-12795)
140.462	(P-4903)	am	(P-12132) (E-12795)
140.463	(P-4903)	am	(P-12132) (E-12795)
140.465	(P-4903)	am	(P-831; A-7117) (E-1121)
140.469	(P-13685)	am	(P-12132) (E-12795)
140.475	(P-847; A-8264)	am	(P-12132) (E-12795)
140.485	(P-14317/90; O-21120/90; RC-21124/90; RC-21135/90; M-368; A-298)	am	(P-831; A-7117) (E-1121)
140.486	(P-14317/90; A-298)	r	(P-12132) (E-12795)
140.487	(P-14317/90; A-298)	r	(P-12132) (E-12795)
140.488	(P-14317/90; A-298)	r	(P-12132) (E-12795)
140.490	(P-19132/90; A-8264)	am	(P-12132) (E-12795)
140.512	(P-13274)	am	(P-12132) (E-12795)
140.513	(P-13274)	r	(P-12132) (E-12795)
140.514	(P-11555)	am	(P-12132) (E-12795)
140.518	(P-9885; A-17733)	am	(P-12132) (E-12795)
140.523	(P-14681/90; A-1051)	am	(P-831; A-7117) (E-1121)
140.530	(P-15933) (E-16366)	am	(P-12132) (E-12795)
140.538	(P-15933) (E-16366)	n	(P-12132) (E-12795)
140.552	(P-15933) (E-16366)	n	(P-12132) (E-12795)
140.560	(P-5585)	am	(P-831; A-7117) (E-1121)
140.561	(P-7482)	am	(P-12132) (E-12795)
140.562	(P-13963/90; O-17718/90; R-366) (P-15933) (E-16366)	am	(P-12132) (E-12795)
140.569	(P-7834/90; A-18813/90; C-1174) (P-7834/90; O-5115; R-6789; A-6534) (P-8656; A-17733)	am	(P-831; A-7117) (E-1121)
140.583	(P-15933) (E-16366)	am	(P-12132) (E-12795)
140.646	(P-6949)	am	(P-831; A-7117) (E-1121)
140.662	(P-14317/90; A-298)	am	(P-12132) (E-12795)
140.835	(P-15933) (E-16366)	r	(P-12132) (E-12795)
140.850	(P-19592/90; A-10114)	r	(P-12132) (E-12795)
140.855	(P-19592/90; A-10114)	n	(P-12132) (E-12795)
140.860	(P-19592/90; A-10114)	n	(P-12132) (E-12795)
140.865	(P-19592/90; A-10114)	n	(P-12132) (E-12795)
140.870	(P-19592/90; A-10114)	n	(P-12132) (E-12795)
140.875	(P-19592/90; A-10114)	n	(P-12132) (E-12795)
140.880	(P-19592/90; A-10114)	n	(P-831; A-7117) (E-1121)
140.885	(P-19592/90; A-10114)	n	(P-831; A-7117) (E-1121)

141.1880	(P-12132) (E-12795)	r	(P-12132) (E-12795)
141.1920	(P-12132) (E-12795)	r	(P-12132) (E-12795)
141.2000	(P-12132) (E-12795)	r	(P-12132) (E-12795)
141.2040	(P-831; A-7117) (E-1121)	am	(P-831; A-7117) (E-1121)
141.2240	(P-12132) (E-12795)	r	(P-12132) (E-12795)
141.2080	(P-831; A-7117) (E-1121)	am	(P-831; A-7117) (E-1121)
141.2120	(P-831; A-7117) (E-1121)	am	(P-831; A-7117) (E-1121)
141.2160	(P-831; A-7117) (E-1121)	am	(P-12132) (E-12795)
141.2200	(P-831; A-7117) (E-1121)	am	(P-12132) (E-12795)
141.2280	(P-12132) (E-12795)	r	(P-12132) (E-12795)
141.2320	(P-12132) (E-12795)	r	(P-12132) (E-12795)
141.2360	(P-12132) (E-12795)	r	(P-12132) (E-12795)
141.2400	(P-831; A-7117) (E-1121)	am	(P-831; A-7117) (E-1121)
141.2440	(P-12132) (E-12795)	r	(P-12132) (E-12795)
141.2480	(P-12132) (E-12795)	r	(P-12132) (E-12795)
141.2520	(P-831; A-7117) (E-1121)	am	(P-831; A-7117) (E-1121)
141.2560	(P-12132) (E-12795)	r	(P-12132) (E-12795)
141.2600	(P-12132) (E-12795)	r	(P-12132) (E-12795)
141.2640	(P-831; A-7117) (E-1121)	am	(P-831; A-7117) (E-1121)
141.2680	(P-12132) (E-12795)	r	(P-12132) (E-12795)
141.2720	(P-12132) (E-12795)	r	(P-12132) (E-12795)
141.2760	(P-12132) (E-12795)	r	(P-12132) (E-12795)
141.2800	(P-12132) (E-12795)	r	(P-12132) (E-12795)
141.2840	(P-831; A-7117) (E-1121)	am	(P-831; A-7117) (E-1121)
141.2880	(P-12132) (E-12795)	r	(P-12132) (E-12795)
141.2920	(P-12132) (E-12795)	r	(P-12132) (E-12795)
141.2960	(P-12132) (E-12795)	r	(P-12132) (E-12795)
141.3000	(P-12132) (E-12795)	r	(P-12132) (E-12795)
141.3040	(P-12132) (E-12795)	r	(P-12132) (E-12795)
141.3080	(P-12132) (E-12795)	r	(P-12132) (E-12795)
141.3120	(P-12132) (E-12795)	r	(P-12132) (E-12795)
141.3160	(P-12132) (E-12795)	r	(P-12132) (E-12795)
141.3200	(P-12132) (E-12795)	r	(P-12132) (E-12795)
141.3240	(P-12132) (E-12795)	r	(P-12132) (E-12795)
141.3280	(P-831; A-7117) (E-1121)	am	(P-831; A-7117) (E-1121)
141.3320	(P-12132) (E-12795)	r	(P-12132) (E-12795)
141.3360	(P-831; A-7117) (E-1121)	am	(P-831; A-7117) (E-1121)
141.3400	(P-12132) (E-12795)	r	(P-12132) (E-12795)
141.3440	(P-12132) (E-12795)	r	(P-12132) (E-12795)
141.3480	(P-831; A-7117) (E-1121)	am	(P-831; A-7117) (E-1121)
141.3520	(P-12132) (E-12795)	r	(P-12132) (E-12795)
141.3560	(P-12132) (E-12795)	am	(P-831; A-7117) (E-1121)
141.3560	(P-12132) (E-12795)	am	(P-12132) (E-12795)
141.3600	(P-12132) (E-12795)	am	(P-831; A-7117) (E-1121)
141.3640	(P-12132) (E-12795)	am	(P-831; A-7117) (E-1121)
141.3680	(P-12132) (E-12795)	r	(P-12132) (E-12795)
141.3720	(P-12132) (E-12795)	am	(P-831; A-7117) (E-1121)
141.3760	(P-12132) (E-12795)	r	(P-12132) (E-12795)
141.3800	(P-12132) (E-12795)	am	(P-831; A-7117) (E-1121)
141.3840	(P-12132) (E-12795)	r	(P-12132) (E-12795)
141.3880	(P-12132) (E-12795)	r	(P-12132) (E-12795)
141.3920	(P-12132) (E-12795)	r	(P-12132) (E-12795)
141.3960	(P-12132) (E-12795)	r	(P-12132) (E-12795)
141.4000	(P-12132) (E-12795)	r	(P-12132) (E-12795)
141.4080	(P-12132) (E-12795)	r	(P-12132) (E-12795)



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147.350	n	(P-9355/90; O-13039/90; R-3129; A-3038)	149.250	r	(P-15931) (E-16308)
147.Tb.A	am	(P-15243/90; A-6238) (P-7501)	149.275	r	(P-15931) (E-16308)
		(P-15940) (E-16435)	149.300	r	(P-15931) (E-16308)
147.Tb.B	am	(P-7501) (P-15940) (E-16435)	149.325	r	(P-15931) (E-16308)
147.Tb.C	n	(P-870; A-13390)	160.5	am	(P-806)
147.Tb.D	n	(P-870; A-13390)	160.10	am	(P-806)
147.Tb.E	n	(P-870; A-13390)	160.70	am	(P-806)
147.Tb.F	n	(P-870; A-13390)	240.655	am	(P-17436/90; A-10344)
147.Tb.G	n	(P-870; A-13390)	240.665	am	(P-14335) (E-14593)
147.Tb.H	n	(P-870; A-13390)	240.1665	am	(E-2838) (P-18635/90; A-10351)
147.Tb.I	n	(P-870; A-13390)	300.20	am	(P-8735; P-14320; W-16520) (E-14285)
147.Tb.J	n	(P-870; A-13390)	300.30	am	(P-8735) (E-14285)
147.Tb.K	n	(P-870; A-13390)	335.100	am	(P-8415)
148.20	am	(P-15928) (E-16166)	335.102	am	(P-8415)
148.30	am	(E-12005)	335.200	am	(P-8415)
148.40	am	(P-15928) (E-16166)	335.202	am	(P-8415)
148.60	am	(P-15928) (E-16166)	335.300	am	(P-8415)
148.70	am	(P-15928) (E-16166)	335.302	am	(P-8415)
148.80	am	(P-15928) (E-16166)	335.304	am	(P-8415)
148.90	am	(P-15928) (E-16166)	335.306	am	(P-8415)
148.100	r	(P-15928) (E-16166)	335.308	am	(P-8415)
148.110	r	(P-15928) (E-16166)	335.310	am	(P-8415)
148.120	am	(P-15928) (E-16166)	335.312	am	(P-8415)
148.130	am	(P-15928) (E-16166)	335.314	am	(P-8415)
148.140	am	(P-15928) (E-16166)	335.316	am	(P-8415)
148.150	am	(P-15928) (E-16166)	335.318	am	(P-8415)
148.160	am	(P-15928) (E-16166)	335.320	am	(P-8415)
148.170	am	(P-15928) (E-16166)	335.322	am	(P-8415)
148.180	am	(P-15928) (E-16166)	335.324	am	(P-8415)
148.190	am	(P-15928) (E-16166)	335.326	am	(P-8415)
148.200	am	(P-15928) (E-16166)	335.328	am	(P-8415)
148.210	am	(P-15928) (E-16166)	335.330	am	(P-8415)
148.220	am	(P-15928) (E-16166)	335.332	am	(P-8415)
148.230	am	(P-15928) (E-16166)	335.334	am	(P-8415)
148.240	am	(P-15928) (E-16166)	335.336	am	(P-8415)
148.250	am	(P-15928) (E-16166)	335.338	am	(P-8415)
148.260	am	(P-15928) (E-16166)	352.Ap. A	am	(P-18871/90; A-11111)
148.270	am	(P-15928) (E-16166)		am	(P-13239) (E-13554)
148.280	am	(P-15928) (E-16166)	406.2	am	(P-14734) (E-15088; M-16519; O-17795)
148.290	am	(P-15928) (E-16166)		am	(P-14734)
148.300	am	(P-15928) (E-16166)	406.4	am	(P-14734)
148.310	am	(P-15928) (E-16166)	406.5	am	(P-14734)
148.320	am	(P-15928) (E-16166)	406.6	am	(P-14734)
148.330	am	(P-15928) (E-16166)	406.7	am	(P-14734)
148.340	am	(E-10502) (P-10909)	406.8	am	(P-14734)
148.360	am	(E-10502) (P-10909)	406.9	am	(P-14734)
148.370	am	(P-10909)	406.10	am	(P-14734)
148.380	am	(E-10502) (P-10909)	406.11	am	(P-14734)
148.390	am	(E-10502) (P-10909)	406.13	am	(P-14734)
148.400	n	(P-15928) (E-16166)	406.14	am	(P-14734)
149.5	am	(P-15931) (E-16308)	406.22	am	(P-14734)
149.25	am	(P-15931) (E-16308)	406.24	am	(P-14729)
149.50	am	(P-15931) (E-16308)	407.29	am	(P-14764) (E-15104)
149.75	am	(P-15931) (E-16308)	408.5	am	(P-14764) (E-15104)
149.100	am	(P-15931) (E-16308)	408.30	am	(P-14764)
149.105	am	(P-15931) (E-16308)	408.65	am	(P-14764)
149.125	am	(P-15931) (E-16308)	408.70	am	(P-14764)
149.150	am	(P-15722/90; A-1826)	431.2	am	(P-4303/90; A-24)
149.150	r	(P-15931) (E-16308)	431.3	am	(P-4303/90; A-24)
149.175	r	(P-15931) (E-16308)	431.5	am	(P-4303/90; A-24)
149.200	r	(P-15931) (E-16308)	505.5	#	(P-12718/90; A-7728)
149.205	r	(P-15931) (E-16308)	505.5	am	(P-12718/90; A-7728)
149.225	r	(P-15931) (E-16308)	505.10	am	(P-12718/90; A-7728)

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## TITLE 89 (CONT'D)

505.20	#	(P-12718/90; A-7728)	650.Ap.B	r	(P-6725/90; A-2794)
505.40	am	(P-12718/90; A-7728)	680.300	am	(P-8156; A-15749)
505.70	am	(P-12718/90; A-7728)	685.150	n	(P-8163; A-15753)
505.80	am	(P-12718/90; A-7728)	685.500	am	(P-8982/90; O-17710/90; R-6791; A-6602) (P-14392)
505.10	am	(P-12718/90; A-7728)			(E-14704)
515.400	n	(P-9370/90; O-17698/90; M-4464; A-7211)	685.550	n	(P-14392) (E-14704)
515.500	n	(P-9370/90; A-7211)	685.600	am	(P-8982/90; O-17710/90; R-6791; A-6602) (P-16896)
552.30	am	(P-9392/90; A-9737)	687.10	am	(P-8160; A-16984)
552.60	am	(P-9392/90; A-9737)	687.100	am	(P-8560/90; O-16085/90; M-5921; A-7354)
552.90	am	(P-9392/90; A-9737)	695.300	am	(P-12252/90; A-6279)
562.20	am	(P-11399)	695.400	am	(P-12252/90; A-6279)
562.30	am	(P-161; A-10179) (P-11399)	700.200	am	(P-9303; A-16987)
567.20	am	(P-12731/90; A-6617)	700.400	am	(P-9303; A-16987)
567.30	am	(P-12731/90; A-6617)	700.500	am	(P-9303; A-16987)
572.90	am	(P-8541)	712.100	am	(P-11702/90; A-10185)
587.105	n	(P-11736/90; A-7370)	712.200	am	(P-11702/90; A-10185)
587.106	n	(P-11736/90; A-7370)	712.300	am	(P-11702/90; A-10185)
587.107	n	(P-11736/90; A-7370)	712.400	am	(P-11702/90; A-10185)
587.110	am	(P-11736/90; A-7370)	712.1000	am	(P-11702/90; A-10185)
587.111	n	(P-11736/90; A-7370)	712.Ap.A	am	(P-11702/90; A-10185)
587.120	n	(P-11736/90; A-7370)	730.400	am	(P-12228/90; A-6265)
592.50	am	(P-12257/90; A-5757)	755.10	am	(P-8522)
592.75	am	(P-12257/90; A-5757)	755.20	n	(P-8522)
592.85	am	(P-12257/90; A-5757)	755.22	n	(P-8522)
617.20	am	(P-9385/90; A-7347)	755.25	n	(P-8522)
617.30	am	(P-7885; A-16118)	755.30	am	(P-8522)
617.50	am	(P-9385/90; A-7347)	755.40	am	(P-8522)
617.55	am	(P-9385/90; A-7347)	755.50	am	(P-8522)
617.60	am	(P-9385/90; A-7347)	755.50	n	(P-8522)
617.70	am	(P-7885; A-16118)	755.60	n	(P-8522)
650.1	r	(P-6725/90; A-2794)	755.60	n	(P-8522)
650.10	n	(P-6683/90; A-2740)	755.70	n	(P-8522)
650.15	n	(P-6725/90; A-2794)	755.80	n	(P-8522)
650.20	n	(P-6683/90; A-2740)	755.80	n	(P-8522)
650.25	r	(P-6725/90; A-2794)	755.90	n	(P-8522)
650.30	r	(P-6683/90; A-2740)	755.90	n	(P-8522)
650.40	r	(P-6725/90; A-2794)	755.100	n	(P-8522)
650.45	n	(P-6683/90; A-2740)	755.100	n	(P-8522)
650.50	n	(P-6683/90; A-2740)	755.110	n	(P-8522)
650.50	n	(P-6725/90; A-2794)	755.120	r	(P-8522)
650.60	n	(P-6683/90; A-2740)	755.130	r	(P-8522)
650.60	n	(P-6725/90; A-2794)	755.140	r	(P-8522)
650.70	n	(P-6683/90; A-2740)	755.150	r	(P-8522)
650.70	n	(P-6725/90; A-2794)	755.160	r	(P-8522)
650.70	n	(P-6683/90; A-2740)	755.170	r	(P-8522)
650.90	n	(P-6683/90; A-2740)	755.180	r	(P-8522)
650.90	n	(P-6725/90; A-2794)	755.190	r	(P-8522)
650.100	n	(P-6683/90; A-2740)	755.200	r	(P-8522)
650.100	n	(P-6725/90; A-2794)	765.60	am	(P-12224/90; A-6261)
650.110	n	(P-6683/90; A-2740)	787.10	n	(P-13027)
650.120	n	(P-6683/90; A-2740)	787.20	n	(P-13027)
650.130	n	(P-6683/90; A-2740)	787.30	n	(P-13027)
650.140	n	(P-6683/90; A-2740)	787.40	n	(P-13027)
650.150	n	(P-6683/90; A-2740)	787.50	n	(P-13027)
650.160	n	(P-6683/90; A-2740)	830.50	am	(P-12234/90; A-6272)
650.200	n	(P-6725/90; A-2794)	830.140	am	(P-4397)
650.500	r	(P-6725/90; A-2794)	840.10	am	(P-15390)
650.600	r	(P-6725/90; A-2794)	840.20	am	(P-15390)
650.700	r	(P-6725/90; A-2794)	840.30	am	(P-15390)
650.1000	r	(P-6725/90; A-2794)			

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TITLE 89 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 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(CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE 92 (CONT'D)		TITLE
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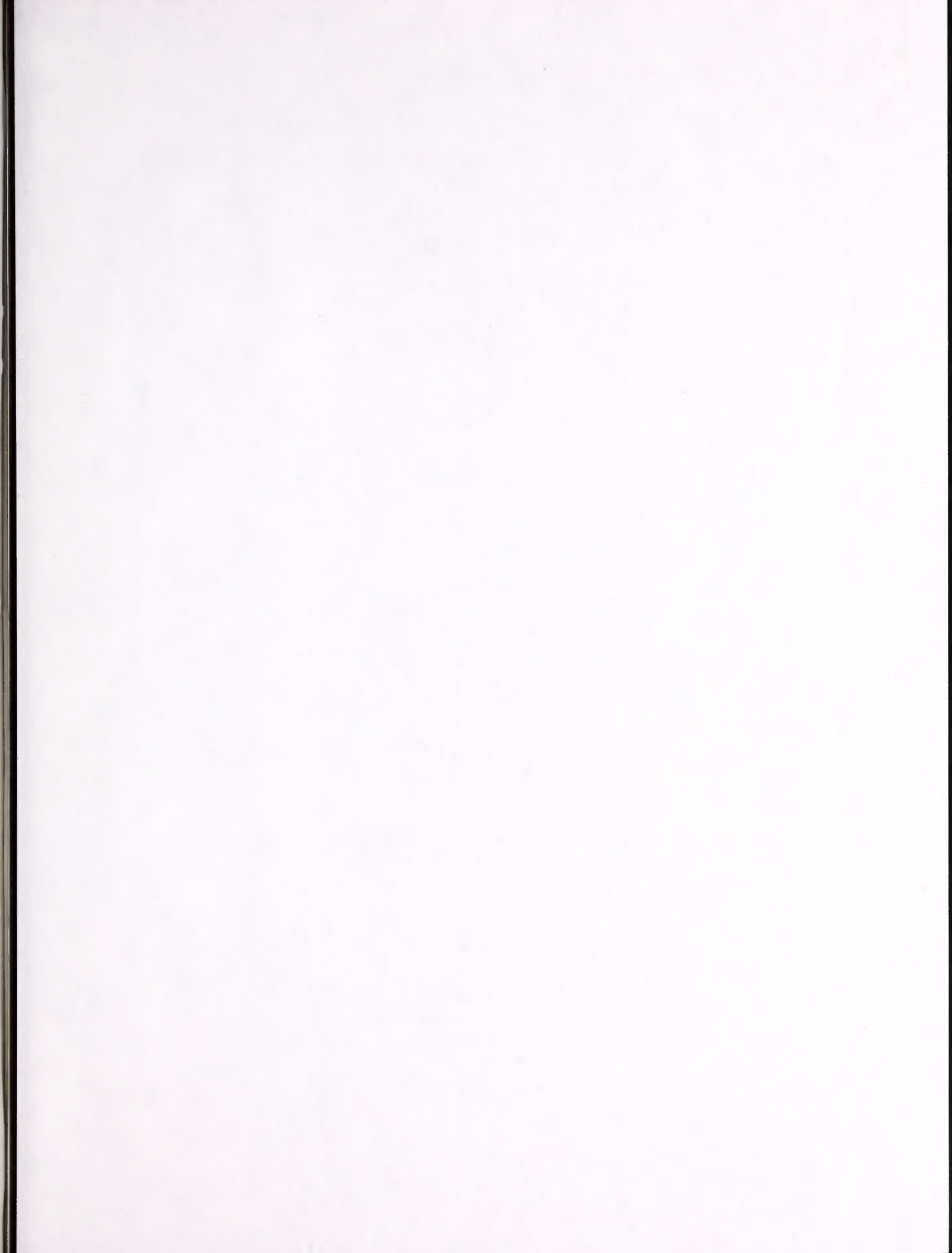


1535.510 r (P-18177/90; A-10920)

TITLE 92 (CONT'D)

530.430	n	(P-2940)
530.440	n	(P-2940)
530.450	n	(P-2940)
530.460	n	(P-2940)
530.470	n	(P-2940)
530.480	n	(P-2940)
530.500	n	(P-2940)
530.501	r	(P-3003)
530.502	r	(P-3003)
530.503	r	(P-3003)
530.510	n	(P-2940)
530.520	n	(P-2940)
530.530	n	(P-2940)
530.600	n	(P-2940)
530.601	r	(P-3003)
530.602	r	(P-3003)
530.603	r	(P-3003)
530.610	n	(P-2940)
530.700	n	(P-2940)
530.701	r	(P-3003)
530.702	r	(P-3003)
530.710	n	(P-2940)
530.800	n	(P-2940)
530.801	r	(P-3003)
530.802	r	(P-3003)
530.803	r	(P-3003)
530.804	r	(P-3003)
530.810	n	(P-2940)
530.820	n	(P-2940)
530.830	n	(P-2940)
530.840	n	(P-2940)
530.900	n	(P-2940)
530.901	r	(P-3003)
530.902	r	(P-3003)
530.903	r	(P-3003)
530.904	r	(P-3003)
530.905	r	(P-3003)
530.906	r	(P-3003)
530.907	r	(P-3003)
530.908	r	(P-3003)
530.909	r	(P-3003)
530.11. A	n	(P-2940)
708.70	am	(P-8193)
720.10	am	(P-3426; A-9068)
1010.425	n	(P-4686; A-12782)
1010.426	n	(P-4686; A-12782)
1010.740	am	(P-4686; A-12782)
1030.84	am	(P-14198)
1030.88	am	(P-10589; A-15783)
1040.42	am	(P-7891; A-14258)
1070.20	am	(P-15428)
1070.40	am	(P-15428)
1070.100	am	(P-8797; A-15083)
1201.10	am	(P-19094; A-17568)
1201.20	am	(P-19094; A-17568)
1201.40	am	(P-19094; A-17568)
1201.50	am	(P-19094; A-17568)
1270.200	n	(P-16170/90; A-10925)
1304.10	am	(P-19104; A-17580)
1308.10	n	(P-8097; A-14414)
1308.20	n	(P-8097; A-14414)
1308.30	n	(P-8097; A-14414)
1311.10	n	(P-4195)













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